



Vermont

Body Worn Cameras in Policing

The ACLU of Vermont supports police use of body worn cameras if they are used according to policies that adequately protect privacy, assure accountability, and allow transparency. Body cameras are tools – whether they are helpful or harmful depends on how they are used. Before body cameras become ubiquitous, Vermont needs clear uniform rules so that we can enhance public trust in the police without needlessly sacrificing our privacy, liberty, and justice system norms. While the ACLU of Vermont is cautiously optimistic that properly used body-worn cameras can help deter police misconduct and use of force, body camera policies must include the following hallmarks to gain ACLU-VT support.

Protecting Privacy and Rights

- * **Limit Use.** To prevent body cameras from becoming surveillance tools, only officers with search and arrest authority should wear them.
- * **Safeguard Victims, Anonymous Tipsters, and Sensitive People/Places.** Affirmatively require officers gain consent to record from victims, person in place where he/she expects privacy, or anonymous tipsters. Ban recording in schools.
- * **Prevent the Application of Facial Recognition, Data Mining, or Similar Technology.** Would permit mass surveillance without concern for 4th Amendment rights.
- * **Prohibit Chilling Free Speech.** Must ban intelligence gathering based on First Amendment protected speech, associations, or religion.



Promoting Accountability and Public Trust

- * **Ensure all law enforcement actions are recorded.** Every encounter with a member of the public, including stops, frisks, searches, seizures, arrests, uses of force, enforcement actions, and encounters that become confrontational must be captured by body worn cameras.
- * **No Pre-Statement Review.** Particularly in critical incidents, officer review of body camera footage before their initial statement undermines the credibility of officer statements and the integrity of investigations.
- * **Strict Policies for protecting video integrity.** Preventing manipulation or erasure must be a paramount concern.
- * **Appropriate Disciplinary Action.** Termination and decertification must be possible for failure to obey policy.

Ensuring Transparency

- * **Retention.** Retain footage of incidents involving force, leading to detention or arrest, and/or resulting in citizen complaints.
- * **Access to Footage.** Provide people recorded with access to videos, and public with access to redacted videos when in the public interest.