

**NOTE:**

In November and December 2023 the SRT BWC TTA program conducted a three-part webinar series based on Body-Worn Camera Policies and Procedures: Guidelines for Prosecutors. This newsletter provides a brief summary of Part 3 of that series. The 30-minute webinars and accompanying documents are available [HERE](#).

BWC Policy: Attorney Workloads, Evidence, Discovery, and Witnesses

BWC video has increased the workload of assistant prosecutors. Added responsibilities include:

- reviewing footage from multiple officers,
- determining the importance of one BWC view over another,
- sharing videos with their defense counterparts,
- considering victim and witness safety issues and the need for redaction, and
- if necessary, showing video in court.

Each of these factors are time-consuming. While workloads increase, the evidentiary value of BWC video also increases. BWC footage can provide important exculpatory, mitigating, or inculpatory evidence. Footage can also be relevant to the credibility of witnesses.

One way to harness the increase in workload is to establish priorities for review and use of the footage. Prosecutor offices should consider the importance of the video based on the case itself. Is a

suspect identified and in custody? Is the seriousness of the offense high or low? Is the potential punishment probation, a fine, or a prison sentence? Just as prosecutors prioritize cases without BWC footage, they should do the same when video evidence is a part of the case.

Discovery

Discovery laws vary from jurisdiction to jurisdiction. A written policy regarding BWCs can provide a public statement on how prosecutors will apply discovery laws. Policies can demonstrate transparency and fairness, how discovery obligations will be handled, and ultimately assist in establishing the public's expectations of the prosecutor.

Witnesses and Victims

Victim and witness protection are critical to ensuring that a case moves forward. A BWC policy should include provisions for victim and witness safety and protections if they are videotaped. Footage should be redacted based on a policy or state law.

ASK BOB**ASK MIKE****QUESTIONS?**

The SRT program created two blogs to answer questions about BWCs. "Ask Bob" features Commissioner Bob Haas (ret. Cambridge Police Department) and "Ask Mike" features Mike Green, former prosecutor in Monroe County, NY and Deputy Commissioner for the Division of Criminal Justice Services in New York State.

Send questions to Bob [HERE](#)

Send questions to Mike [HERE](#)



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