

San Diego County District Attorney-  
Body Worn Camera Evidence Protocol

April 2, 2015

1. For those agencies that have cloud based storage of their body worn camera videos we will accept the videos from their cloud storage. If permitted for the short term we will access, view and share the evidence from that platform.
2. Discovery of the video evidence will occur only after DDA review of the video(s) and then either upon request or within the statutory discovery requirements.
3. It is up to the assigned DDA to make the redaction decisions and it is presumed that DDA will do the redaction unless special redaction is needed for trial. (This applies to the evidence.com videos since they have a redaction upon viewing option.)
4. For public defense lawyers we are going to provide BWC discovery via the cloud- after they establish a my.evidence.com account. Shortly we will include all private lawyers who use E-discovery to open myevidence.com accounts. The remaining lawyers will get discs. Upon deployment of cameras not using evidence.com discs will be burned for discovery until a cloud solution is developed.
5. The discovery link to my.evidence.com can be provided by the DDA after editing or as the Division/Branch Chief decides. Disc discovery will track Branch/Division protocol.
6. Protocols relating to retention and storage of the videos are being evaluated and will be disseminated later this year. For now all the videos are stored on our agency account at evidence.com.
7. Protective orders or restrictions for public dissemination are being evaluated.
8. If a viewing DDA has concerns about misconduct or Brady material- they will alert their division chief. If it is determined to be misconduct or Brady material the Chief will forward the information to Special Operation. Special Operations will be the only conduit to the police department's internal affairs relating to BWC videos.
9. BWC videos are evidence and must be treated as such. Viewing is limited to those working on the case and for case preparation and support only.
10. Protocols will be re-evaluated in three months. The protocols will evolve as departments add cameras from different providers. In addition training will be continuing as more cameras get deployed and more DDA's are exposed to this evidence.