

**Effective 5/10/2016**

**77-7a-104 Activation and use of body-worn cameras.**

- (1) An officer using a body-worn camera shall verify that the equipment is properly functioning as is reasonably within the officer's ability.
- (2) An officer shall report any malfunctioning equipment to the officer's supervisor if:
  - (a) the body-worn camera issued to the officer is not functioning properly upon initial inspection; or
  - (b) an officer determines that the officer's body-worn camera is not functioning properly at any time while the officer is on duty.
- (3) An officer shall wear the body-worn camera so that it is clearly visible to the person being recorded.
- (4) An officer shall activate the body-worn camera prior to any law enforcement encounter, or as soon as reasonably possible.
- (5) An officer shall record in an uninterrupted manner until after the conclusion of a law enforcement encounter, except as an interruption of a recording is allowed under this section.
- (6) When going on duty and off duty, an officer who is issued a body-worn camera shall record the officer's name, identification number, and the current time and date, unless the information is already available due to the functionality of the body-worn camera.
- (7) If a body-worn camera was present during a law enforcement encounter, the officer shall document the presence of the body-worn camera in any report or other official record of a contact.
- (8) When a body-worn camera has been activated, the officer may not deactivate the body-worn camera until the officer's direct participation in the law enforcement encounter is complete, except as provided in Subsection (9).
- (9) An officer may deactivate a body-worn camera:
  - (a) to consult with a supervisor or another officer;
  - (b) during a significant period of inactivity; and
  - (c) during a conversation with a sensitive victim of crime, a witness of a crime, or an individual who wishes to report or discuss criminal activity if:
    - (i) the individual who is the subject of the recording requests that the officer deactivate the officer's body-worn camera; and
    - (ii) the officer believes that the value of the information outweighs the value of the potential recording and records the request by the individual to deactivate the body-worn camera.
- (10) If an officer deactivates a body-worn camera, the officer shall document the reason for deactivating a body-worn camera in a written report.

Enacted by Chapter 410, 2016 General Session