Critical Incident Video Release Policy

813.1 PURPOSE AND SCOPE
The purpose of this policy is to provide standards and criteria for the public release of video recordings that capture critical incidents involving members of the Pasadena Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy. There are considerations, such as preserving the integrity of related investigations, that may require a delay or deviation from the standard procedure, and these considerations are detailed in this policy. In recognizing that a video may not tell the whole story, the Pasadena Police Department will also provide the necessary context when releasing video so the public has the most accurate picture of what occurred based on the information known at the time of release.

813.2 POLICY
It is the policy of the Pasadena Police Department that video evidence in the department's possession which captures critical incidents involving Pasadena Police Department personnel be released to the public within 45 days of the incident.

813.3 DEFINITIONS
Critical incidents - are those instances in which police personnel have utilized lethal force and/or a person has died or suffered great bodily injury as a result of a police encounter or while in police custody. The following are examples of critical incidents:

- Officer-involved shootings, regardless of whether a person was hit by gunfire;
- A use of force resulting in death or great bodily injury requiring hospitalization;
- All deaths while an arrestee/detainee is in the custodial care of the Department unless there is no preliminary evidence of any of the following: misconduct, a use of force, or an act committed by an arrestee/detainee that appears intended to cause injury or death; or
- Any other police encounter where the Chief of Police determines release of video is in the public interest.

813.4 VIDEO RELEASE
The video release shall consist of relevant video imagery that depicts the actions and events leading up to and including the critical incident. Relevant video imagery is video and accompanying audio footage that is typically considered by the Chief of Police and criminal prosecutors to determine the propriety of the Pasadena Police Department member's conduct during the critical incident. The release of video shall be accompanied by additional information in order to provide context based on the evidence available at the time of release. The release of video will only apply...
to those incidents occurring after the effective date of this policy. All efforts will be made to release the information to the community in the affected area of the critical incident.

The release of any specific video imagery does not waive the Pasadena Police Department's right to withhold other video imagery or investigative materials in the same case or any other case, as permitted by law. This policy is not intended to displace or supersede any legal right or remedy available to any person or entity, and it is also not intended to prevent or hinder compliance by the department with respect to any legal disclosure requirements, including but not limited to, any court order or disclosure provisions of the California Public Records Act.

813.4.1 VIDEO SOURCES
The sources of video that may be released pursuant to this policy include, but are not limited to, body-worn camera video, digital in-car video, police facility surveillance video, and video captured by third parties that is in the department's possession.

813.4.2 PRIVACY PROTECTIONS
Video will not be released where prohibited by law or court order. Further, consistent with the protections afforded juveniles and the victims of certain crimes, video imagery shall be redacted or edited to the extent necessary to ensure that the identity of said individual(s) is protected. Where the video cannot be sufficiently redacted or edited to protect the person's identity, it will be withheld. In addition, video may also be redacted or edited to protect the privacy interests of other individuals who appear in the video. Redaction or editing may also, at times, be required to protect the privacy interests and/or personnel protections of police personnel involved in these incidents. In each instance, such redaction may include removing sound or blurring of faces and other images that would specifically identify involved individuals, sensitive locations, or reveal legally protected information. Further, where possible, such redaction or editing shall not compromise the depiction of what occurred during the incident.

813.4.3 DELAYED RELEASE

There may be circumstances under which the release of video must be delayed for a number of reasons including but not limited to the protection of one or more of the following:

- Safety of the involved individuals, including police personnel, witnesses, bystanders, or other third parties
- Integrity of an active investigation (criminal or administrative)
- Confidential sources or investigative techniques
- Constitutional rights of an accused

The decision regarding the delay of the release of video associated with the critical incident shall be made solely by the Chief of Police. The basis for the delay should not be of a general nature and instead should have a factual basis specific to that incident. The video imagery shall be released when the reason for the delay has been resolved.
813.4.4 NOTIFICATIONS
Reasonable attempts should be made to notify the following individuals or entities forty-eight hours prior to the release of video imagery:

- Police Personnel depicted in the video and/or significantly involved in the use of force
- Subject upon whom force was used
  - If the subject is deceased, the next of kin will be notified.
  - If the subject is a juvenile, the subject's parents or legal guardian will be notified.
  - If the subject is represented by legal counsel, that representative will be notified.
- District Attorney's Office and City Attorney's Office
- The labor association(s) of the police personnel depicted in the video
- Other individuals or entities connected to the incident as deemed appropriate.

813.4.5 POSTING
All released video shall remain posted on the Department’s website for twelve months.