

# Prosecutors & BWC's Webinar Series

## Part 3: Internal Operations of the Prosecutor's Office with Body-worn Camera Policy

December 7, 2023

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# Overview

- Introductions
- Principles
- Purpose
- Q & A
- Resources



# Introductions

- Dr. Anne Kringen, JSS, Senior Police Advisor
- Mr. Mike Green, Former DA for Monroe County, NY
- Commissioner Bob Haas, ret. Cambridge PD
- Mr. John Markovic, BJA, Senior Policy Advisor



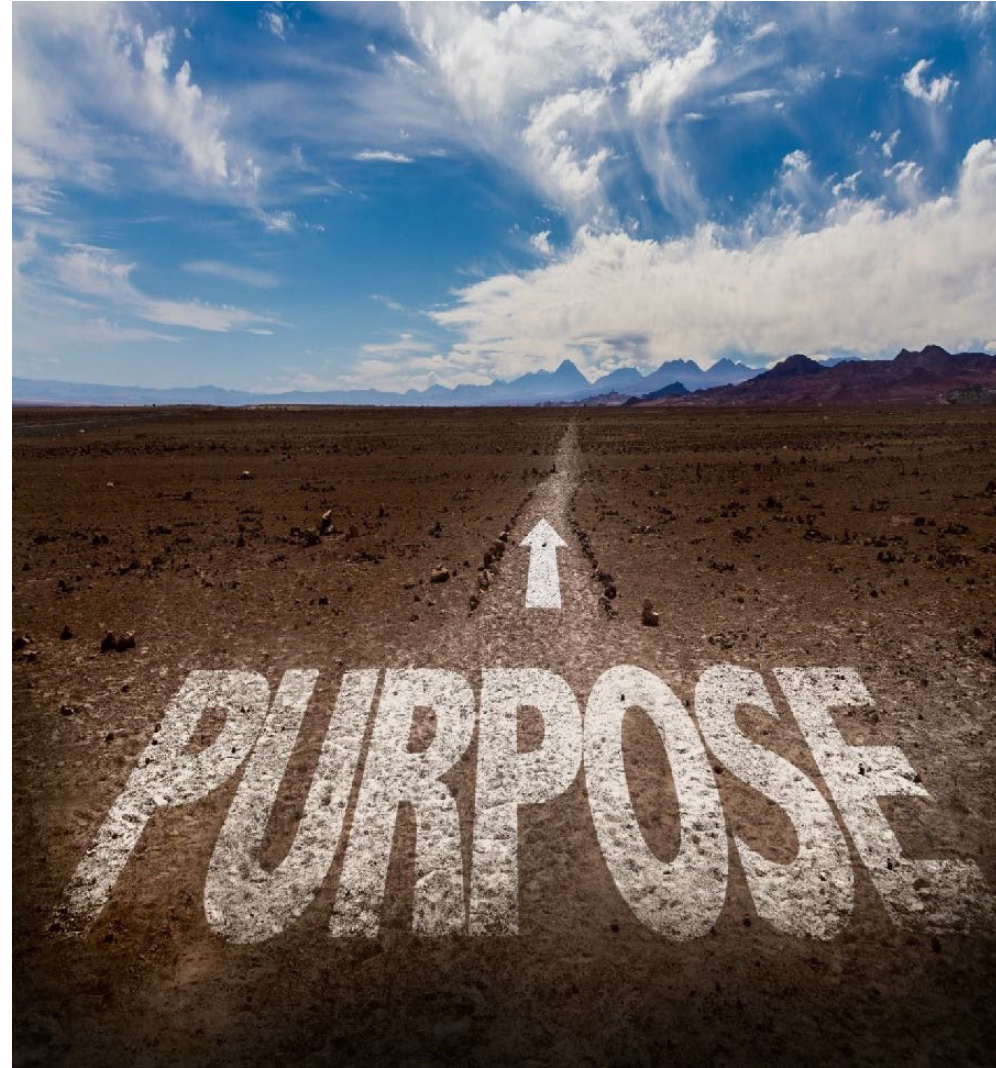
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# SRT BWC Micro-Grant Principles

- Customer-Focused
- Ease of Use
- Leverage Technology
- Data-Driven





# **BWC Policy - Assistant DA's**

Why is it important to have written policies around the review of body worn camera footage by assistant district attorneys?

Isn't it sufficient to have an unwritten policy and training?





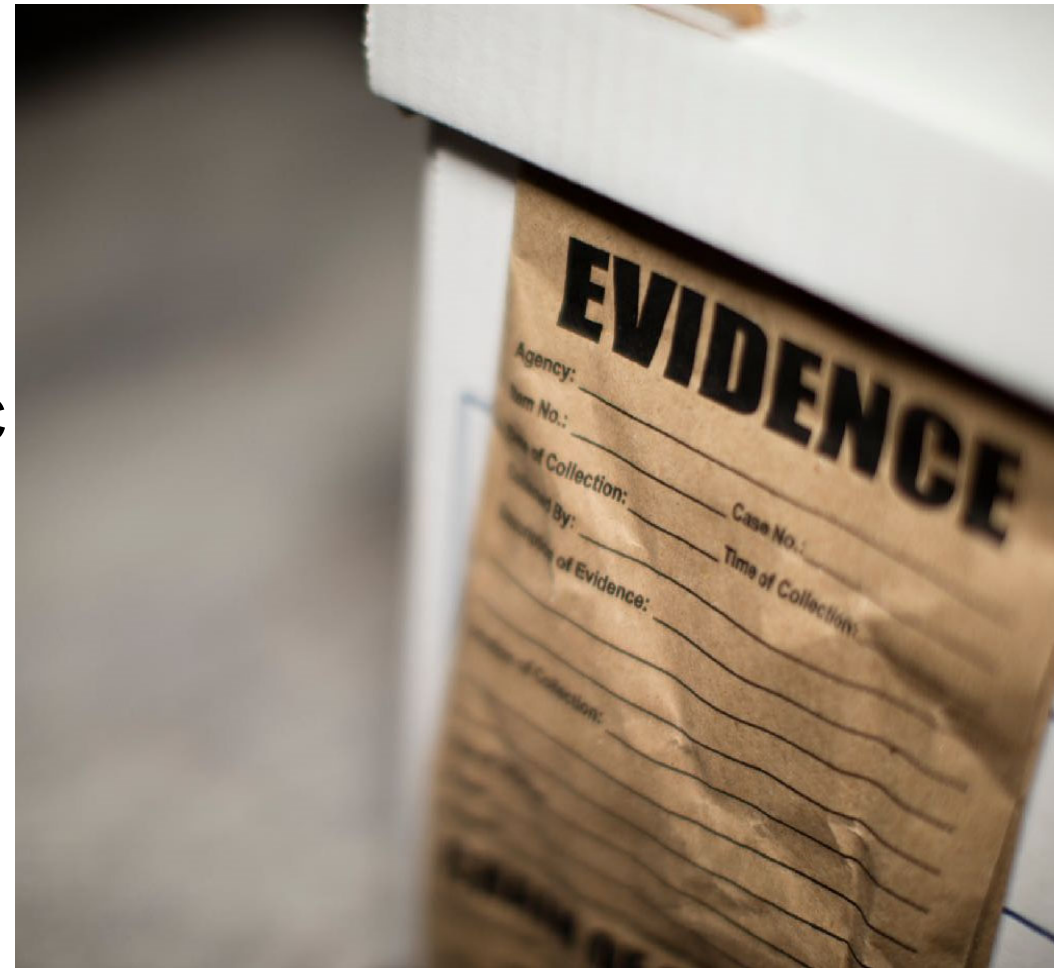
# **BWC Policy - Assistant DA's**

1. Priority of Footage
2. When to Review the Footage
3. Purpose for Review of Footage

## BWC Footage as Evidence

Why is it important to have written policy dealing with the review of BWC footage for evidentiary purposes?

Shouldn't I trust my prosecutors to review the necessary footage as they see fit?




## BWC Footage as Evidence

1. Exculpatory

2. Mitigating

3. Credibility of Witnesses



**Policies Provide the  
Public with  
Consistent  
Expectations!**



**EVIDENCE**

Agency: \_\_\_\_\_  
Item No.: \_\_\_\_\_  
Date of Collection: \_\_\_\_\_  
Case No.: \_\_\_\_\_  
Collected By: \_\_\_\_\_  
Time of Collection: \_\_\_\_\_





# Prosecutor Workload

My prosecutors are working under challenging conditions with high caseloads.

I fear I am setting them up to fail if I have written policies?



# Prosecutor Workload

1. Prison Sentences
2. Defendants Held in Custody
3. Priority of Witnesses

**Can reviews be delegated to police?  
Should this be covered in an MOU?**





# Prosecutor Workload – Police Perspective

Can anything be done at the police-end to  
assist prosecutors with the workload issue?

- Access to Recordings
- Deviation
- Tagging Recordings
- Department Liaisons
- Freedom of Information/Public Records Requests
- Retention Policies
- Releasing Videos to the Public
- Redaction and Transcription Duties

# Review of BWC Footage Assistant Prosecutor

You mentioned providing guidance concerning the scope of the review of footage by an assistant prosecutor.

Other than for evidentiary purposes, what type of review would an assistant be doing?





# Review of BWC Footage Assistant Prosecutor

1. Review of Police Performance
2. Identify Training Needs
3. Feedback to Police Departments





# **BWC Policy – Evidence Discovery**

Why do I need a policy on discovery of BWC evidence?

Is it not sufficient to let my prosecutors handle this on a case-by-case basis?



# **BWC Policy – Evidence Discovery**

1. Transparency & Fairness
2. Discovery Obligations
3. Establishes Expectation of Prosecutors

## Witnesses & Victims

Should issues relating to witness protection be addressed in a written policy?

If so, what are some of the issues prosecutors should be addressing?





# Witnesses & Victims

1. Priority of Cases
2. Protective Orders
3. Supervisory Review





## **Scope of BWC Policy**

Are there other issues relating to the internal operation of a prosecutor's office that the policy should address?



## **Scope of BWC Policy**

1. Redaction
2. Retention
3. Case Outcomes
4. Transcripts
5. Jury Instructions

# Resources

- Ask Bob or Mike more of your BWC-related questions from a prosecutorial/policing perspective
- Send questions to:  
[AskBob@srtbwc.com](mailto:AskBob@srtbwc.com)  
[AskMike@srtbwc.com](mailto:AskMike@srtbwc.com)

**ASK BOB**



**ASK MIKE**





# Closing Remarks

John Markovic

Senior Policy Advisor,  
BJA, USDOJ



**BJA**  
Bureau of Justice Assistance  
U.S. Department of Justice

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Due by **11:59 p.m. ET on March  
4, 2024**

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BODY WORN CAMERA PROGRAM

# Webinars in the Prosecutor Guideline Series

*Previous - Webinar 1: Importance  
of Body-worn Camera Policy*

Watch the recording using the link below:  
<https://www.srtbwc.com/Webinars/>

*Previous – Webinar 2: Police &  
Prosecutor Collaboration*

Watch the recording using the link below:  
<https://www.srtbwc.com/Webinars/>





# Resources

- Publication: ***BWC Guidelines & Procedures: Guidelines for Prosecutors***
- Go to [www.srtbwc.com](http://www.srtbwc.com) and click the link under *Grantee Resources* to access the document



# We're data-driven...

- Please fill out the webinar evaluation survey, we appreciate your feedback!
- A link will be available in your internet browser **immediately** after this session.



# Contact Information

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