



Frequently Asked Questions About Body-Worn Cameras in Massachusetts

The American Civil Liberties Union of Massachusetts (ACLUM) has drafted a [model policy](#) for body-worn cameras (BWCs) in the Commonwealth. Below are answers to questions about how a BWC program would operate under that policy. Learn more at aclum.org/cams.

1) *Why should cities and towns in Massachusetts have a BWC camera program?*

BWCs protect both police officers and civilians, building trust between police departments and the communities they serve. In Rialto, California, a study found a 60% reduction in officer use of force and an 88% reduction in civilian complaints when BWCs were adopted. In Orlando, Florida, a BWC study found a 53% reduction in use of force and a 65% reduction in civilian complaints.

2) *Do officers have to keep the cameras on at all times?*

No. Under the ACLUM policy, officers will be required to activate BWCs only when they are responding to a call for service or initiating an investigative encounter, such as an interview, stop, frisk, or search of a member of the public.

3) *Will undercover officers wear the cameras?*

No. Because wearing cameras could risk the safety of undercover officers, the ACLUM policy does not require undercover officers to use them.

4) *Does the use of body cameras violate the Massachusetts wiretap law?*

No. The state wiretap law prohibits “secret” audio recording. Under the ACLUM policy, BWCs are worn in a visible location and cannot be used secretly.

5) *What about people’s right to privacy? Will police have cameras on when responding to residential calls? Won’t BWCs discourage victims of domestic violence from contacting the police?*

No. Under the ACLUM policy, officers must ask residents of a private home if they would prefer to have the camera turned off before entering the residence. Furthermore, officers must ask crime victims and people reporting crimes if they would like the cameras turned off. If they say “yes,” officers must turn off the cameras immediately.

6) *Should officers be permitted to review BWC footage before writing reports?*

Not before writing *initial* reports. Just as civilians are normally asked to give statements before viewing body camera or surveillance video, the ACLUM policy requires officers to write their initial reports before viewing BWC footage. This approach treats officers and civilians equally, assures that police reports will not be written to fit the video, and is fair to police officers by permitting them to revise their initial reports after viewing the video.

7) *Is police video subject to the public records law? What about privacy?*

Footage will be available under the public records law, subject to existing exemptions, including those related to criminal investigations and protecting privacy. But under the ACLUM policy, footage must be redacted to hide an individual's identity if its release would interfere with their privacy.

8) *Who will store the data from the cameras?*

Data from BWCs is usually stored by a third party. Under the ACLUM policy, the storage provider would not be allowed to view the footage.

9) *Is the cost of storing data prohibitive?*

There are fees for data storage, but since BWCs have been shown to reduce officer use of force and civilian complaints, costs of their implementation should be offset by savings to the city from a reduction in lawsuits and other costs related to officer or civilian misconduct.

10) *Will BWCs be used to increase surveillance of the public?*

The ACLUM policy states that BWC footage may not be used for surveillance.

11) *Can individual officers simply refuse to use body cameras? Will officers tamper with them?*

No. Under the ACLUM policy, officers who tamper with or don't turn on their cameras will face disciplinary action. If an incident is not filmed because an officer didn't turn the camera on, police departments cannot argue in court that a defendant's description of events is false.

12) *Will BWCs create a health hazard for officers?*

No. CB radios used by police don't create a health risk, and neither do BWCs. And unlike cell phones, which regularly transmit data through the air, BWCs record data which is downloaded after the officer's shift.