

**Chapter 10.109 RCW
USE OF BODY WORN CAMERAS**

Sections

10.109.010 Policies.
10.109.020 Ordinance or resolution—Community involvement process.
10.109.030 Limitations on use.

RCW 10.109.010 Policies. (1) A law enforcement or corrections agency that deploys body worn cameras must establish policies regarding the use of the cameras. The policies must, at a minimum, address:

(a) When a body worn camera must be activated and deactivated, and when a law enforcement or corrections officer has the discretion to activate and deactivate the body worn camera;

(b) How a law enforcement or corrections officer is to respond to circumstances when it would be reasonably anticipated that a person may be unwilling or less willing to communicate with an officer who is recording the communication with a body worn camera;

(c) How a law enforcement or corrections officer will document when and why a body worn camera was deactivated prior to the conclusion of an interaction with a member of the public while conducting official law enforcement or corrections business;

(d) How, and under what circumstances, a law enforcement or corrections officer is to inform a member of the public that he or she is being recorded, including in situations where the person is a non-English speaker or has limited English proficiency, or where the person is deaf or hard of hearing;

(e) How officers are to be trained on body worn camera usage and how frequently the training is to be reviewed or renewed; and

(f) Security rules to protect data collected and stored from body worn cameras.

(2) A law enforcement or corrections agency that deploys body worn cameras before June 9, 2016, must establish the policies within one hundred twenty days of June 9, 2016. A law enforcement or corrections agency that deploys body worn cameras on or after June 9, 2016, must establish the policies before deploying body worn cameras. [2018 c 285 § 2; 2016 c 163 § 5.]

Finding—Intent—2016 c 163: See note following RCW 42.56.240.

RCW 10.109.020 Ordinance or resolution—Community involvement process. For a city or town that is not deploying body worn cameras on June 9, 2016, a legislative authority of a city or town is strongly encouraged to adopt an ordinance or resolution authorizing the use of body worn cameras prior to their use by law enforcement or a corrections agency. Any ordinance or resolution authorizing the use of body worn cameras should identify a community involvement process for providing input into the development of operational policies governing the use of body worn cameras. [2016 c 163 § 6.]

Finding—Intent—2016 c 163: See note following RCW 42.56.240.

RCW 10.109.030 Limitations on use. For state and local agencies, a body worn camera may only be used by officers employed by a general authority Washington law enforcement agency as defined in RCW 10.93.020, any officer employed by the department of corrections, and personnel for jails as defined in RCW 70.48.020 and detention facilities as defined in RCW 13.40.020. [2018 c 285 § 3; 2016 c 163 § 8.]

Finding—Intent—2016 c 163: See note following RCW 42.56.240.