

REGULATION AND POLICY MANAGEMENT BRANCH

P.O. Box 942883
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April 19, 2024

NOTICE OF CHANGE TO TEXT AS ORIGINALLY PROPOSED

Pursuant to the provisions of Government Code Section 11346.8(c) and Section 44 of Title 1 of the California Code of Regulations (CCR), the California Department of Corrections and Rehabilitation (CDCR or the department) hereby provides notice of proposed changes made to CCR Sections regarding Body-Worn Cameras. The department proposes to amend section 3270.3, and CDCR Forms 1118, 1119, and 1120 within the CCR, Title 15, Division 3, Chapter 1. Specifically, the documents incorporated by reference being adopted or repealed are as follows:

1. Approved Body-Worn Camera Deactivation Events Schedule (02/21/24) (Adopted).
2. CDCR Form 1118 (Rev. 03/24), Body-Worn Camera Video Evidence Request (Adopted).
3. CDCR Form 1118 (Rev. 02/23), Body-Worn Camera Video Evidence Request (Repealed).
4. CDCR Form 1119 (Rev. 03/24), Body-Worn Camera Video Evidence Request Denial (Adopted).
5. CDCR Form 1119 (Rev. 02/23), Body-Worn Camera Video Evidence Request Denial (Repealed).
6. CDCR Form 1120 (Rev. 03/24), Body-Worn Camera Video Evidence Request for Redaction (Adopted).
7. CDCR Form 1120 (Rev. 02/23), Body-Worn Camera Video Evidence Request for Redaction (Repealed).

Additionally, pursuant to the requirements of Government Code sections 11346.8(d), 11346.9(a)(1), and 11347.1, the department proposes to amend the Initial Statement of Reasons, which revisions are provided for in the attached Addendum to the Initial Statement of Reasons (ISOR).

You are receiving this notice because you provided comments or expressed an interest in receiving notice of changes to the proposed regulations concerning Body-Worn Cameras.

Notice of Change to Regulations 23-06 was noticed to the public on June 30, 2023. The full text of the originally proposed amendments is shown in its original single underline and ~~single strikethrough~~ format. The changes provided in this Notice of Change to Text as Originally Proposed are indicated by **bold double underline** for additional added text, and ~~**bold double strikethrough**~~ for additional deleted text to the originally proposed text.

Changes to CDCR Forms 1118, 1119, and 1120 are described below. Only those comments relating directly to the amendments indicated by **bold double underline** or ~~**bold double strikethrough**~~ and identified in this Notice of Change to Text as Originally Proposed, or as described below for CDCR Forms 1118, 1119, and 1120, and the Approved Body-Worn Camera Deactivation Events Schedule, or as identified in the Addendum to the ISOR will be considered.

In the attached text the following changes are made:

Subsection 3270.3(a):

This subsection is amended to replace the word “staff” with “correctional officers and correctional sergeants” for correction and clarity purposes. After further review the department determined that this correction is necessary because the term “staff” refers to all personnel, and language in this subsection applies specifically to correctional officers and correctional sergeants, not all personnel.

Additionally, language is added to specify that the body-worn camera is worn “and activated” during the entire course of the correctional officer’s and correctional sergeant’s shift. This language is necessary for clarification and correction purposes. It is important that the body-worn camera is activated during the entire course of the correctional officer or correctional sergeant’s shift in order to capture any incidents that may occur during their shift.

The subsection is revised for correction purposes, to include a reference to subsection 3270.3(d), which provides that body-worn cameras shall not be used to record confidential medical, dental, and mental health assessments, appointments, or consultations.

The language “departmentally approved” is deleted to remove any confusion regarding approved deactivation events. The sentence has been revised for better clarification and to incorporate by reference the Approved Body-Worn Camera Deactivation Events Schedule (02/21/24). The Approved Body-Worn Camera Deactivation Events Schedule is based on the approved deactivation events as listed in the stipulation and order *RJD Remedial Plan and Five Prisons Remedial Plan*, Case No. C94 2307 CW, which was a result of the court case *Armstrong v. Newsom* (No. 4:94-cv-02307-CW N.D. Cal.). The example deactivation events previously listed are removed, as all deactivation events can now be referenced in the Approved Body-Worn Camera Deactivation Events Schedule.

The Approved Body-Worn Camera Deactivation Events Schedule (02/21/24) is incorporated by reference and explained below in the section titled “Explanation of the Approved Body-Worn Camera Deactivation Events Schedule (02/21/24).”

Subsection 3270.3(b):

To correct an inadvertent non-substantive error, underlining is added to the beginning parentheses for the subsection letter “(b).”

Subsection 3270.3(e):

Language in this subsection, which stated: “For routine matters that do not involve an allegation of misconduct, an inquiry by the Allegation Inquiry Management Section, or an investigation by the Office of Internal Affairs (OIA)” is deleted to remove confusion and better clarify the process for correctional officers and correctional sergeants that may wish to review their body-worn camera recording(s). This subsection is revised to correctly identify the process for which a correctional officer or correctional sergeant may be authorized to review their body-worn camera recording(s). Language now correctly outlines the process which involves the Incident Commander. The Incident Commander is responsible for reviewing all incidents and should the Incident Commander determine during their review that no evidence or allegations exist to suggest possible misconduct, or a criminal or deadly force investigation of the correctional officer or correctional sergeant, the Incident Commander may authorize the correctional officer or correctional sergeant to review their body worn camera recording(s). The correctional officer or correctional sergeant’s review shall only be after writing and submitting their initial report. The language regarding the “Allegation Inquiry Management Section” is removed as it was determined to be unnecessary, due to this would be considered within the realm of “allegations of misconduct.” To clarify the term “incident” a reference to section 3382(b) is added. The language regarding the supplemental report, which was previously in the last sentence, is relocated to subsection 3270.3(h) for better organization of the section. New language is added to clarify that correctional officers or correctional sergeants may request to review their body-worn camera recording(s) either verbally from the Incident Commander, or by submitting a CDCR Form 1118 to the Investigative Services Unit (ISU).

This subsection is amended to replace the words “employee” or “employees” with “correctional officers and correctional sergeants,” for correction and clarity purposes. After further review the department determined that this correction is necessary because the term “employee(s)” refers to all personnel, and language in this subsection applies specifically to correctional officers and correctional sergeants, not all personnel.

This subsection is amended to give CDCR Form 1118 a new revision date, due to revisions to the form. Revisions to the CDCR Form 1118 are explained below in the section titled “Revisions to CDCR Form 1118, Body-Worn Camera Video Evidence Request.”

New subsection 3270.3(e)(1):

New subsection 3270.3(e)(1) is adopted to better outline the process as it relates to a correctional officer or correctional sergeant’s request to review their body-worn camera recording(s). In most instances, the Incident Commander (IC) will be the authority approving the correctional officer or correctional sergeant’s request to review their body-worn camera recording(s). The IC is responsible for reviewing an incident when one occurs. The IC will submit the CDCR Form 1118 to the ISU to review the body-worn camera recording(s) of the incident. Upon receiving the CDCR Form 1118, the ISU shall preserve the body-worn camera recording(s) of the incident.

New subsections 3270.3(e)(1)(A)-(B):

These subsections are adopted to better outline the process regarding a correctional officer or correctional sergeant's request to review their body-worn camera recording(s). Subsection (A) explains the circumstances for which the IC shall deny the correctional officer or correctional sergeant's request to review their body-worn camera recording(s). Once the IC determines there may be evidence or allegations to suggest possible misconduct of the correctional officer or correctional sergeant, or that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the IC shall deny any verbal request from the correctional officer or correctional sergeant to review their body-worn camera recording(s) and inform the ISU of this information. The ISU would then have knowledge to deny a request from the correctional officer or correctional sergeant to review their body-worn camera recording(s) should the ISU receive a CDCR Form 1118 directly from the correctional officer or correctional sergeant. Subsection (B) specifies that should there be no circumstances as identified in (A), the IC may authorize a correctional officer or correctional sergeant's request to review their body-worn camera recording(s), only after writing and submitting their initial incident report.

Subsection 3270.3(f):

The first sentence in this subsection is revised and relocated to subsection 3270.3(e)(1)(A), where it is consolidated with language from 3270.3(g) to provide for better organization of the section and avoid duplicative language, which was also confusing. New language in this subsection specifies that in circumstances where, pursuant to subsection 3270.3(e)(1)(A), evidence is found, or an allegation exists, that suggests possible misconduct of the correctional officer or correctional sergeant, the correctional officer or correctional sergeant's review of their body-worn camera recording(s) could potentially compromise a misconduct investigation, therefore the correctional officer or correctional sergeant shall only be granted an opportunity to review their body-worn camera recording(s) upon approval of the Warden, Chief Deputy Warden, or above. The Warden, Chief Deputy Warden, or above shall determine whether the correctional officer or correctional sergeant's reviewing would cause a potential threat to an investigation, or if no threat exists. Revisions to this subsection provide for more concise language and avoid unnecessary redundancy throughout the section. The language specifying "at the sole discretion" is replaced with "upon approval" for more appropriate wording and better clarity.

Subsection 3270.3(g):

The first sentence in this subsection is revised and relocated to subsection 3270.3(e)(1)(A), where it is consolidated with language from 3270.3(f) to provide for better organization of the section and avoid duplicative language, which was also confusing. New language in this subsection specifies that in circumstances where, pursuant to subsection 3270.3(e)(1)(A), evidence is found, or an allegation exists, that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the correctional officer or correctional sergeant's review of their body-worn camera

recording(s) could potentially compromise a criminal or deadly force investigation, therefore, the correctional officer or correctional sergeant shall only be granted an opportunity to review their body-worn camera recording(s) upon approval of the Office of Internal Affairs (OIA) or an investigating or prosecuting agency. The OIA or an investigating or prosecuting agency shall determine whether the correctional officer or correctional sergeant's reviewing would cause a potential threat to a criminal or deadly force investigation, or if no threat exists. Revisions to this subsection provide for more concise language and avoid unnecessary redundancy. The language specifying "at the sole discretion" is replaced with "upon approval" for more appropriate wording and better clarity, and the acronym for OIA is spelled out since it is now the first occurrence of the acronym.

New subsection 3270.3(h):

Language from subsection 3270.3(e) regarding supplemental reports, is relocated to subsection 3270.3(h) to better align with the sequence of the correctional officers' or correctional sergeants' body-worn camera review process. Additionally, language is added to provide additional details regarding the supplemental report. It is necessary that correctional officers and correctional sergeants specify in their supplemental report that they are providing additional details to their report *after* reviewing the body-worn camera recording(s) because this clarifies to investigating staff, or others that may be reviewing the incident report, that the correctional officer or correctional sergeant provided additional details *after* reviewing the body-worn camera recording(s). This will help to ensure the integrity of any potential investigation.

New subsection 3270.3(i):

New subsection 3270.3(i) is added to explain the process for an interested internal party within CDCR to request to review a body-worn camera recording(s). This language is necessary to provide clarification, and to align with the CDCR Form 1118. These requests shall be made by contacting the institution's Investigative Services Unit (ISU). The interested party shall fill out the requested information on the CDCR Form 1118 and submit it to the ISU, or the ISU representative may complete the CDCR Form 1118 on behalf of the interested party. Internal parties may include: correctional staff, the Office of Legal Affairs, the Office of Appeals, the Allegation Investigation Unit, the Centralized Screening Team, and the California Correctional Health Care Services. This language provides clarification regarding the process for an interested internal party to request to review a body-worn camera recording(s).

New subsection 3270.3(j):

New subsection 3270.3(j) is added to explain the process for an outside (external) interested party to request to review a body-worn camera recording(s). This language is necessary to provide clarification, and to align with the CDCR Form 1118. These requests shall be made by contacting the department's Office of Legal Affairs (OLA). The OLA shall initiate the request by contacting the Hiring Authority of the correctional officer or correctional sergeant whose body-worn camera recording(s) is being requested. The

Hiring Authority's designee shall complete the CDCR Form 1118 and submit it to the institution's ISU on behalf of OLA. External parties may include: courts, a plaintiff's counsel, and the Office of Attorney General. This language provides clarification regarding the process for an external interested party request to review a body-worn camera recording(s).

Previously proposed new subsection 3270.3(h) is renumbered 3270.3(k):

Due to the relocation of language taken from 3270.3(a) and numbering as 3270.3(h) to better align with the sequence of events, and the addition of new subsections 3270.3(i) and (j), this subsection is renumbered as 3270.3(k). This subsection is amended to replace the words "employee" and/or "employees" with "correctional officers or correctional sergeants," for correction and clarity purposes. After further review the department determined that this correction is necessary because the term "employee(s)" refers to all personnel, and language in this subsection applies specifically to correctional officers and sergeants, not all personnel.

Additionally, the word "subsection" is added for better specification and clarity, and the subsection numbering which previously referred to "(f) or (g)" is now replaced with "(e)(1)(A)" for the correct subsection reference, which cites the reasons for which a correctional officer or correctional sergeant shall be denied approval to review their own body-worn camera recording(s).

Revisions are also made to give a new revision date to CDCR Form 1119, due to revisions to the form. Revisions to the CDCR Form 1119 are explained below in the section titled "Revisions to CDCR Form 1119, Body-Worn Camera Video Evidence Request Denial."

Language in the last sentence is revised to correct and better clarify that if the correctional officer or correctional sergeant is denied the opportunity to review their body-worn camera recording(s), the Hiring Authority may not ask any questions or request further clarification from the correctional officer or correctional sergeant regarding their initial incident report, including any incident as referenced in subsection 3270.3(e)(1)(A). This revision provides for a better understanding of the sentence. The correctional officer or correctional sergeant providing additional information without the ability to review their body-worn camera footage may result in the correctional officer or correctional sergeant reporting inaccurate, incomplete, or contradicting information not included in their initial report.

Previous proposed new subsection 3270.3(i) is renumbered 3270.3(l):

Due to renumbering of the section, previously proposed subsection (i) is renumbered as 3270.3(l). Language in this subsection is revised to remove any confusion as to what qualifies as "investigative or evidentiary value." The language is revised to provide a cross reference to section 3270.3(a), which incorporates by reference the Approved Body-Worn Camera Deactivation Events Schedule. Language in this subsection now provides clarity that "in the event a body-worn camera is activated for a deactivated permitted event or circumstance as listed in subsection 3270.3(a), the correctional officer or correctional sergeant may request a portion of the body-worn camera data be redacted

....” This language is necessary to protect the correctional officer or correctional sergeant’s personal privacy, as well as any other instances that are confidential, or protected from public view. For further clarification, new language is added to specify the final review and confirmation process for the CDCR Form 1120.

Additionally, this subsection is amended to replace the word “employee” with “correctional officer or correctional sergeant” for correction and clarity purposes. After further review the department determined that this correction is necessary because the term “employee” refers to all personnel, and language in this subsection applies specifically to correctional officers and sergeants, not all personnel.

Lastly, CDCR Form 1120 is given a new revision date, due to revisions to the form. Revisions to the CDCR Form 1120 are explained below in the section titled “Revisions to CDCR Form 1120, Body-Worn Camera Video Evidence Request for Redaction.”

Revisions to CDCR Form 1118, Body-Worn Camera Video Evidence Request:

After further review, the department determined that additional revisions to the CDCR Form 1118 were necessary for clarity and correction purposes, therefore a new revision date of (Rev. 03/24) is provided for the CDCR Form 1118. Revisions to the CDCR Form 1118 are as follows:

- To remove duplication, and for consistency with CDCR forms which have the title of the form above the form number, the duplicate form title is removed at the top of the form.
- In the paragraph at the top of the form, language is revised to reference the applicable Title 15 section number, for clarity and better specificity. Additionally, language is revised to remove “approved to collect” as it was determined that it is not necessary for the form; and minor revisions are made for grammatical correction purposes. The paragraph also adds the word “grievance” for correction purposes, so that language now reflects “grievance or appeal package,” as evidence may be included into both a grievance or appeal package.
- The field which previously referenced “Appeal Log Number” is expanded to include grievances, so that the field now reflects as “Grievance or Appeal Log Number.” This revision is necessary for correction purposes, as evidence may be included into both a Grievance or Appeal log.
- In the “Other” field, the wording is revised to now reflect as “Other Circumstance” for a clearer understanding of what this field is used for. Other circumstances can include investigations, requests from the court, or other compulsory legal processes.
- In the section at the bottom of the form titled “To Be Completed by Person Receiving Evidence,” the title heading is revised to “To Be Completed by ISU Staff” for better clarity and understanding of who is completing the section. The fields within the section are also revised for better clarity and understanding.

Revisions to CDCR Form 1119, Body-Worn Camera Video Evidence Request Denial:

After further review, the department determined that additional revisions to the CDCR Form 1119 were necessary for clarity and corrective purposes, therefore a new revision date of (Rev. 03/24) is provided for the CDCR Form 1119. Revisions to the CDCR Form 1119 are as follows:

- To remove duplication, and for consistency with CDCR forms which have the title of the form above the form number, the duplicate form title is removed at the top of the form.
- The first field, which previously stated “Name of Requesting Staff Member” is revised to “Name of Requestor” for correction purposes.
- The language on the form which previously referenced the Memorandum of Understanding, Section 9.16 for Bargaining Unit 6 employees, is replaced with a reference to Title 15, for corrective purposes, as the California Code of Regulations, Title 15 is the authority for these regulations. Additionally, the language is revised to add a reference to Section 3270.3(e)(1)(A), which specifies the reasons a correctional officer or correctional sergeant may be denied approval to review their body-worn camera recording(s).

Revisions to CDCR Form 1120, Body-Worn Camera Video Evidence Request for Redaction:

After further review, the department determined that additional revisions to the CDCR Form 1120 were necessary for clarity and corrective purposes, therefore a new revision date of (Rev. 03/24) is provided for the CDCR Form 1120. Revisions to the CDCR Form 1120 are as follows:

- To remove duplication, and for consistency with CDCR forms which have the title of the form above the form number, the duplicate form title was removed at the top of the form.
- For clarification purposes, the acronym “PERNR” is spelled out. The acronym “PERNR” refers to a CDCR employee’s Personnel Number.
- Additional language is added to the “Time Started” and “Time Stopped” fields, to clarify that these fields refer to the “Approximate Start Time of the Incident Requiring Redaction” and the “Approximate Stop Time of the Incident Requiring Redaction.”
- Minor formatting edits are made at the bottom of the form to provide more space for the Printed Name and Signature fields.

Explanation of the Approved Body-Worn Camera Deactivation Events Schedule:

The Approved Body-Worn Camera Deactivation Events Schedule (02/21/24) is based on the approved deactivation events as listed in the stipulation and order *RJD Remedial Plan and Five Prisons Remedial Plan*, Case No. C94 2307 CW. Some edits to the approved deactivation events per the Remedial Order are made to provide further clarification, and for grammatical correction purposes. Two additional events are added because of agreements made between CDCR and the Office of the Inspector General (OIG); and because of agreements between CDCR and the collective bargaining unit for Unit 6 employees. Specifically, the OIG requested CDCR to add the deactivation event requiring correctional officers and correctional sergeants to deactivate their body-worn cameras when the OIG was interviewing them during a Warden vetting process (interviewing staff for the potential hiring of a Warden). The OIG and CDCR determined these interviews are confidential in nature. Additionally, it was determined that for correctional officers and correctional sergeants who are required to wear body-worn cameras at non-court mandated institutions, i.e. California Correctional Institution, Central California Women's Facility, California State Prison, Sacramento, and Salinas Valley State Prison, the body-worn cameras are not required to be activated when there are no inmates present or when there is no inmate interaction.

The comment period on these changes begins on **April 19, 2024** and shall close on **May 4, 2024**. Please submit comments to Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA, 94283-0001; fax to (916) 324-6075; or e-mail to rpmb@cdcr.ca.gov before the close of the comment period. Only those comments relating directly to the enclosed changes indicated by **bold double underline** or ~~**bold double underline**~~ and identified in this Notice of Change to Text as Originally Proposed, or as described for CDCR Forms 1118, 1119, and 1120, and the Approved Body-Worn Camera Deactivation Events Schedule, or as identified in the Addendum to the ISOR will be considered.

Cynthia Baeta
Cynthia Baeta, Staff Services Manager II
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation

Attachment(s)

15-DAY RE-NOTICE TEXT OF PROPOSED REGULATIONS

In the following text, **bold double underline** indicates additional text and ~~**bold double underline**~~ indicates additional deleted text to the originally proposed text presented in the original single underline and ~~single strikethrough~~ format.

California Code of Regulations, Title 15, Division 3, Adult Institutions, Programs and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

Subchapter 4. General Institution Regulations

Article 2. Security

3270.3 Body-Worn Cameras.

[Section 3270.3(a) is amended to read:]

(a) Correctional officers and correctional sergeants shall utilize body-worn cameras at the California Correctional Institution; California Institution for Women; California State Prison, Corcoran; California State Prison, Los Angeles County; California State Prison, Sacramento; Central California Women's Facility; Kern Valley State Prison; California State Prison, Los Angeles County; Richard J. Donovan Correctional Facility; Salinas Valley State Prison; and the Substance Abuse and Treatment Facility and State Prison, Corcoran. **Staff Correctional officers and correctional sergeants** shall ensure the body-worn camera is worn **and activated** during the entire course of their shift. The body-worn camera shall only be deactivated **as described in subsection 3270.3(d) or for departmentally approved** events or circumstances **listed in the Approved Body-Worn Camera Deactivation Events Schedule (02/21/24), incorporated by reference. such as: during restroom breaks; during departmental meetings or trainings deemed confidential, or while performing an activity deemed confidential in nature; and while interviewing a victim of a Prison Rape Elimination Act (PREA) allegation, as soon as the nature of the offense becomes apparent to the staff member doing the interview.**

[New section 3270.3(b) is adopted to read:]

(b) Body-worn camera equipment and all information collected through the use of a body-worn camera shall be considered CDCR property and records, and shall not be utilized for personal use. Only authorized employees shall use or be in possession of a body-worn camera device, data, or files.

[Existing section 3270.3(b) is renumbered (c), but is otherwise unchanged.]

~~(b)~~ Body-worn camera recording technology may be used to conduct after-the-fact reviews of triggering events involving use of force incidents, allegations of excessive or unnecessary force, and other staff and inmate misconduct.

[Existing section 3270.3(c) is renumbered (d), but is otherwise unchanged.]

(ed) Body-worn cameras shall not be used to record confidential medical, dental, and mental health assessments, appointments, or consultations.

[New section 3270.3(e) is adopted to read:]

~~(e) For routine matters that do not involve an allegation of misconduct, an inquiry by the Allegation Inquiry Management Section, or an investigation by the Office of Internal Affairs (OIA), employees Correctional officers and correctional sergeants may be granted an opportunity to review their own body-worn camera recording(s) of an incident, as described in section 3382(b), that they were involved in only after writing and submitting their initial incident report. Correctional officers and correctional sergeants may request to review their body-worn camera recording(s) either verbally from the Incident Commander (IC), or by submitting a CDCR Form 1118 (Rev. 03/24), Body-Worn Camera Video Evidence Request, incorporated by reference, to the Investigative Services Unit (ISU). Any request to review audio or video recordings shall be made via a CDCR Form 1118 (Rev. 02/23), Body-Worn Camera Video Evidence Request, which is incorporated by reference. Upon completion of the video review by the employee, they shall be given the opportunity to write a supplemental report prior to the end of their shift.~~

(1) When an incident occurs, the IC shall submit a CDCR Form 1118 to the ISU to review the body-worn camera recording(s) of the incident. Upon receiving the CDCR Form 1118, the ISU shall preserve the body-worn camera recording(s) of the incident.

(A) If during the IC's review of the incident, evidence is found, or an allegation exists, that either suggests possible misconduct of the correctional officer or correctional sergeant, or that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the IC shall deny any verbal request from the correctional officer or correctional sergeant to review their body-worn camera recording(s) and inform the ISU of this information. Upon the ISU's receipt of the information from the IC, the ISU shall deny any CDCR Form 1118 request from a correctional officer or correctional sergeant to review their body-worn camera recording(s).

(B) If during the IC's review of the incident, no evidence is found, or no allegations exist, that either suggests possible misconduct of the correctional officer or correctional sergeant, or that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the IC shall authorize a correctional officer or correctional sergeant to review their own body-worn camera recording(s) should they request to review it, and only after writing and submitting their initial incident report.

[New section 3270.3(f) is adopted to read:]

~~(f) Employees are allowed to review their own body-worn camera recording(s), unless it relates to an incident involving allegations of misconduct, or administrative action is contemplated. In that case, employees~~ In circumstances where, pursuant to subsection 3270.3(e)(1)(A), evidence is found, or an allegation exists, that suggests possible misconduct of the correctional officer or correctional sergeant, the correctional officer or correctional sergeant's review of their body-worn camera

recording(s) could potentially compromise a misconduct investigation, therefore, the correctional officer or correctional sergeant shall only be granted an opportunity to review their body-worn camera recording(s) at the sole discretion upon approval of the Warden, Chief Deputy Warden, or above.

[New section 3270.3(g) is adopted to read:]

(g) ~~Employees are allowed to review their own body-worn camera recording(s), unless it relates to an incident where a criminal or deadly force investigation is contemplated. In that case, employees~~ In circumstances where, pursuant to subsection 3270.3(e)(1)(A), evidence is found, or an allegation exists, that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the correctional officer or correctional sergeant's review of their body-worn camera recording(s) could potentially compromise a criminal or deadly force investigation, therefore, the correctional officer or correctional sergeant shall only be granted an opportunity to review their body-worn camera recording(s) at the sole discretion upon approval of the Office of Internal Affairs (OIA) or an investigating or prosecuting agency.

[New section 3270.3(h) is adopted to read:]

(h) Upon completion of the video review by the correctional officer or correctional sergeant, they shall be given the opportunity to write a supplemental report prior to the end of their shift. The supplemental report shall contain transitional language indicating additional details are being provided after the review of the body-worn camera recording(s), such as: "after reviewing video of the incident, additional details are noted as follows."

[New section 3270.3(i) is adopted to read:]

(i) An interested internal party within the department may request to review a body-worn camera recording(s) by contacting the institution's Investigative Services Unit (ISU). The CDCR Form 1118 shall be completed by the requestor and submitted to the ISU or completed by the ISU representative on behalf of the interested party.

[New section 3270.3(j) is adopted to read:]

(j) An interested external party outside the department may request to review a body-worn camera recording(s) by contacting the department's Office of Legal Affairs (OLA). The OLA shall initiate the request for an outside interested party by contacting the Hiring Authority of the correctional officer or correctional sergeant whose body-worn camera recording(s) is being requested. The Hiring Authority's designee shall complete the CDCR Form 1118 and submit the CDCR Form 1118 to the institution's Investigative Services Unit (ISU) on behalf of the OLA.

[Previously proposed new section 3270.3(h) is renumbered 3270.3(k) and is adopted to read:]

~~(h)~~ If ~~employees~~ correctional officers or correctional sergeants are denied approval to review their own body-worn camera recording(s) for any of the reasons identified in

subsection 3270.3(e)(1)(A) (f) or (g), they will be provided with a CDCR Form 1119 (Rev. ~~02/23~~ 03/24), Body-Worn Camera Video Evidence Request Denial, which is incorporated by reference, signed by the Facility Captain or their designee, denying the request. If the ~~employee~~ **correctional officer or correctional sergeant** is denied the opportunity to review their body-worn camera recording(s), the Hiring Authority may not ~~request ask~~ any ~~further~~ questions or ~~request further~~ clarifications from the ~~employee~~ **correctional officer or correctional sergeant regarding their initial incident report, including any incident as referenced in subsection 3270.3(e)(1)(A).**

[Previously proposed new section 3270.3(i) is renumbered 3270.3(l) and is adopted to read:]

(i) In the event ~~of an accidental activation of~~ a body-worn camera ~~where the recording has no investigative or evidentiary value is activated for a deactivated permitted event or circumstance, as listed in subsection 3270.3(a), the~~ ~~employee~~ **correctional officer or correctional sergeant** may request a portion of the body-worn camera ~~data recording(s)~~ be redacted via a CDCR Form 1120 (Rev. ~~02/23~~ 03/24), Body-Worn Camera Video Evidence Request for Redaction, which is incorporated by reference. **Upon completion of the CDCR Form 1120, and confirmation by all individuals listed on the CDCR Form 1120, that a deactivated permitted event or circumstance was recorded, the relevant portion of the body-worn camera recording(s) shall be redacted by the ISU.**

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Section 5054, Penal Code; and *Armstrong v. Newsom* (No. 4:94-cv-02307-CW N.D. Cal.).

ADDENDUM - INITIAL STATEMENT OF REASONS

After publication of the initial Notice of Change to Text as Originally Proposed, it was determined that revisions to the Initial Statement of Reasons, were necessary for correction purposes and to further comply with the Necessity and Clarity standards of the Administrative Procedure Act (APA).

Additionally, it was determined that a clarification was necessary in the Notice of Proposed Regulations.

The department wishes to clarify a statement made in the Notice of Proposed Regulations.

In the Economic Impact Assessment portion of the Notice of Proposed Regulations, regarding the creation of new, or elimination of existing jobs, the department wishes to clarify the following:

The proposed regulations *will* have an impact on the creation of new jobs within California, as CDCR will increase the staff at CCI, SAC, CCWF, and SVSP in fiscal year 2022-2023, assigning four Correctional Officers, four Associate Governmental Program Analysts (AGPA), and four Information Technology (IT) support staff, one of each per institution.

The department wishes to correct and/or clarify language that was part of the Initial Statement of Reasons (ISOR).

Revisions to the ISOR are as follows:

Paragraphs 1-4 are unchanged.

Paragraph 5 is amended to read:

With the exception of the events as listed in subsection 3270.3(d) or events or circumstances as listed in the Approved Body-Worn Camera Deactivation Events Schedule, which was based on the approved deactivation events as listed in the stipulation and order *RJD Remedial Plan and Five Prisons Remedial Plan*, Case No. C94 2307 CW, the body-worn camera shall be worn and activated throughout the correctional officer or correctional sergeant's entire shift. It is important that the body-worn camera remain on as much as possible in order to capture any incidents or problems that need to be addressed and to resolve any discrepancies. This will help to ensure honest practices and adherence to department rules, which will increase safety and security within the institutions. The body-worn camera shall only be deactivated as described in subsection 3270.3(d) or for events or circumstances as listed in the Approved Body-Worn Camera Deactivation Events Schedule (02/21/24). Certain departmental meetings, trainings, and activities are confidential in nature, and if shared with the inmate population or public, could jeopardize the safety and security of the institution. Examples may include sharing intelligence on targeted institution search operations; alarm response procedures; and how to de-energize an institution's electric fence. Other circumstances and events may involve personal privacy and other instances that are confidential or protected from public view.

The Approved Body-Worn Camera Deactivation Events Schedule (02/21/24), is incorporated by reference, and a copy is provided in this rulemaking.

Paragraph 6 is unchanged.

Paragraph 7 is amended and merged with the 9th 10th and 11th paragraphs to read:

The reviewing of recorded video shall be limited to those that have authorization and have a legitimate reason or need to review. Authorized staff such as custody supervisors, Incident Commanders, Lieutenants, and Hiring Authorities may need to review body-worn camera footage to make determinations regarding incidents, and for the purposes of conducting investigations. Reviewing a body-worn camera recording(s) is only permitted when there is an initiating incident (triggering event), which establishes the legitimate need to review. Examples of legitimate reasons for reviewing body-worn camera footage include but are not limited to: any use of force incident; riots; allegations of staff or inmate misconduct; and all Prison Rape Elimination Act (PREA) allegations. Unauthorized reasons for any staff to review body-worn camera recording(s) include, reviewing for personal use, and reviewing body-worn camera footage without a triggering event.

Correctional officers and correctional sergeants that are involved in an incident may only be permitted to review their *own* body-worn camera footage. Correctional officers and correctional sergeants may be granted an opportunity to review their own body-worn camera recording(s) of an incident they were involved in, only after writing and submitting their initial incident report.

Correctional officers and correctional sergeants shall only review footage that may include actions conducted by them where evidence is found, or an allegation exists, of possible misconduct, upon approval of the Warden, Chief Deputy Warden, or above. Additionally, correctional officers and correctional sergeants shall only review footage that may include actions conducted by them where evidence is found, or an allegation exists, that could lead to a criminal or deadly force investigation, upon approval of the Office of Internal Affairs or an investigating or prosecuting agency. Only these entities may approve the correctional officer or correctional sergeant's request to review their body-worn camera recording(s) in these instances due to the potential to compromise an investigation, and the sensitive nature surrounding these circumstances. These authorities are responsible for determining whether the correctional officer or correctional sergeant's reviewing of the body-worn camera could pose a potential threat to an investigation, or if no threat exists.

After reviewing their body-worn camera recording(s), correctional officers and correctional sergeants will be given the opportunity to write a supplemental report prior to the end of their shift. It is necessary that correctional officers and correctional sergeants be allowed to review their recording(s) (only after submittal of their initial incident report) to assist them in completing their reports involving use of force, etc. In difficult or stressful situations, correctional officers and correctional sergeants may not recall all of the facts clearly. The recording can help to clarify detailed facts regarding incidents. However, correctional officers and correctional sergeants are required to submit their initial reports prior to reviewing their body-worn camera recording(s) in order to document their recollection of the incident as they initially perceived the incident. When correctional officers and correctional sergeants are documenting information in the supplemental report, any additional information shall be added with transitional language such as: "after reviewing video of the incident, additional details are noted as follows." Supplemental reports are required to be submitted prior to the end of the correctional officer or correctional sergeant's shift so that reviewing supervisors have an opportunity to request any further clarifying information as soon as possible, or forward reports for manager review and approval.

Requests to review body-worn camera recordings may be made via a CDCR Form 1118 (Rev. 03/24), Body-Worn Camera Video Evidence Request. When an incident happens, the Incident Commander is responsible for requesting the body-worn camera footage from the Investigative Services Unit (ISU) in order to review the body-worn camera footage, and have the ISU preserve the footage as evidence. The Incident Commander completes and submits the CDCR Form 1118 to the ISU, then the Incident Commander will review the footage. If during the Incident Commander's review of the incident, evidence is found, or an allegation exists, that either suggests possible misconduct of the correctional officer or correctional sergeant, or that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the involved correctional officer or correctional sergeant would not be permitted to review the recording(s). If no evidence is found, or no allegations exist, that either suggests possible misconduct of the correctional officer or correctional sergeant, or that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the correctional officer or correctional sergeant would be allowed to review the recording(s) that was shared with the Incident Commander by ISU.

CDCR Form 1118 (Rev. 03/24) is incorporated by reference, and a copy is made available in this rulemaking.

Paragraph 8 is unchanged.

Paragraph 12 is amended to read:

If a correctional officer or correctional sergeant is denied approval to review their own body-worn camera recording(s) they will be provided with CDCR Form 1119 (Rev. 03/24), Body-Worn Camera Video Evidence Request Denial, signed by the Facility Captain or their designee, denying the request. If the correctional officer or correctional sergeant is denied the opportunity to review their body-worn camera recording(s), the Hiring Authority may not ask any questions or request further clarifications from the correctional officer or correctional sergeant regarding their initial incident report, including any incident as referenced in subsection 3270.3(e)(1)(A). The correctional officer or correctional sergeant providing additional information without the ability to review their body-worn camera footage may result in the correctional officer or correctional sergeant reporting inaccurate, incomplete, or contradicting information not included in their initial report.

CDCR Form 1119 (Rev. 03/24) is incorporated by reference, and a copy is made available in this rulemaking.

Paragraph 13 is amended to read:

In the event a body-worn camera is activated for a deactivated permitted event or circumstance, as listed in subsection 3270.3(d) or the Approved Body-Worn Camera Deactivation Events Schedule (02/21/24), correctional officers and correctional sergeants may request portions of their body-worn camera recording(s) be redacted, via CDCR Form 1120 (Rev. 03/24), Body-Worn Camera Video Evidence Request for Redaction. Examples of events that may require redaction include using a restroom, or using a lactation station.

CDCR Form 1120 (Rev. 03/24) is incorporated by reference, and a copy is provided in this rulemaking.

Paragraph 14 is unchanged.

In the Economic Impact Assessment portion of the ISOR, per Government Code Section 11346.3(b), the statement regarding the Creation of New or Elimination of Existing Jobs within the State of California is amended to add the following statement:

The department has determined that the proposed regulations will not have an impact on the elimination of existing jobs within California.

In the section titled Forms Incorporated by Reference, the department wishes to add:

- Approved Body-Worn Camera Deactivation Events Schedule (02/21/24).

Additionally, the section titled Forms Incorporated by Reference, is amended as follows:

- CDCR Form 1118 (Rev. 03/24), Body-Worn Camera Video Evidence Request.
- CDCR Form 1119 (Rev. 03/24), Body-Worn Camera Video Evidence Request Denial.
- CDCR Form 1120 (Rev. 03/24), Body-Worn Camera Video Evidence Request For Redaction.

In the section titled “SPECIFIC PURPOSE AND RATIONALE FOR EACH SECTION, PER GOVERNMENT CODE 11346.2(b)(1)” the department wishes to make the following revisions:

For sections 3270.3(a), 3270.3(e), 3270.3(f), 3270.3(g), 3270.3(h), and 3270.3(i) the department wishes to replace references to the words “staff” and “employee” and/or “employees” to “correctional officer(s) and correctional sergeant(s).” This is necessary for correction purposes, because the term “staff” refers to all personnel, and the references in these subsections apply specifically to correctional officers and correctional sergeants, not all personnel. However, there is an exception to three references of the word “employee” in section 3270.3(e), which are correct in the following sentences: “CDCR policy requires that any employee who uses force or observes a staff use of force shall report it to a supervisor as soon as practical and follow up with appropriate documentation prior to being relieved from duty. Employee reports provide critical details supporting why force may have been used or if any inmate or employee sustained an injury.”

For the additional amendments to the SPECIFIC PURPOSE AND RATIONALE FOR EACH SECTION, see the Notice of Change to Text as Originally Proposed.

The following paragraphs, which were not previously included in the ISOR, are added to explain the necessity for CDCR Form 1118, CDCR Form 1119, and CDCR Form 1120, and the Approved Body-Worn Camera Deactivation Events Schedule.

The proposed regulations incorporate by reference into Title 15, Division 3, Chapter 1, three new CDCR forms, and one new Schedule.

CDCR Form 1118 (Rev. 03/24), Body-Worn Camera Video Evidence Request is used by internal and external parties to request reviewing of a body-worn camera recording(s). The form is initially filled out by the requestor (or department legal staff on behalf of an external requestor) with the requested information, then sent to, and processed by the Investigative Services Unit (ISU). The

ISU would process the request and allow the requestor to review the recording(s) if they received clearance from the Incident Commander that the recording(s) could be released. If it was determined that footage could not be released to the requestor, CDCR Form 1119 (Rev. 03/24), Body-Worn Camera Evidence Request Denial, would be sent to the requestor, signed by the Facility Captain. Internal parties that use CDCR Form 1118 may include correctional staff, and other divisions within the department. External parties may include the Office of Attorney General, courts, or a plaintiff's counsel. The form is completed anytime there is a request to review body-worn camera footage. The footage may be used as evidence in an incident package, grievance or appeal, or Rules Violation Report (RVR). Requests for body-worn camera footage in response to investigations, requests from the court, or other compulsory legal process, shall be identified in the "Other Circumstances" field. Each body-worn camera is assigned to a specific post. To further aid ISU staff in identifying the appropriate body-worn camera footage to preserve or provide to an Incident Commander, the "Post Number" is provided on CDCR Form 1118. The post number is specific to the body-worn camera assigned to the correctional officer or correctional sergeant during their shift. Providing information in the "Item Description" fields further assists the ISU staff in identifying the appropriate body-worn camera footage to preserve or provide. If there is a large scale incident on a facility yard, and the Incident Commander has only identified a few correctional officers' or correctional sergeants' body-worn camera to preserve, providing additional information in these fields may assist the ISU staff in identifying other staff involved or responding to the incident location, and pertinent body-worn camera footage that should be preserved to provide a greater vantage point of the incident not previously identified. The section titled "To Be Completed by ISU Staff" portion of CDCR Form 1118, is necessary as body-worn camera review requests are required to be completed by ISU staff in a timely manner, and this section provides documentation for when the request is received, through when the request is released to the requestor. The ISU staff would indicate when the footage was initially requested by the requestor, when the request was received by ISU (date and time), the printed name and signature of the ISU staff person that received the request, the date and time the requestor was contacted for pickup of the footage, the recipient of the footage, and when the request was completed, for tracking purposes. Should there be a need to provide any additional information or notes, the ISU staff would indicate that in the "Additional Information" field.

CDCR Form 1119 (Rev. 03/24), Body-Worn Camera Video Evidence Request Denial, is completed by the department's Investigative Services Unit (ISU) staff and is used when a request to review a body-worn camera recording(s) is denied. The form may also be sent to internal or external parties. The form is signed by a supervisor, who is a Facility Captain, and is sent to the denied party when it has been determined by the Incident Commander that reviewing of a body-worn camera recording(s) shall not be permitted. If the Incident Commander's review of the body-worn camera footage identifies possible misconduct, or an allegation exists that suggests misconduct of the correctional officer or correctional sergeant, or evidence is found, or an allegation exists that could lead to a criminal or deadly force investigation of the correctional officer or correctional sergeant, the correctional officer or correctional sergeant's ability to review their body-worn camera footage may compromise an investigation. Therefore, the Incident Commander would deny the correctional officer or correctional sergeant's request to review their body-worn camera recording(s). CDCR Form 1119 documents the reason for the denial. Any internal or external party request without a legitimate need to review, would be denied a request to review a body-worn camera recording(s).

CDCR Form 1120 (Rev. 03/24), Body-Worn Camera Video Evidence Request For Redaction, is initially filled out by the correctional officer or correctional sergeant who wishes to redact a portion

of their body-worn camera recording(s). Only an activation of a body-worn camera for a permitted deactivation event, as per subsection 3270.3(d) or the Approved Body-Worn Camera Deactivation Events Schedule, may be requested for redaction, such as: using a restroom, or a lactation station. Correctional officers and correctional sergeants who have unintentionally captured a permitted deactivation event on their body-worn camera, will provide as much identifying information as possible, such as their Post Number and the Start and End time of the activity, to ensure the ISU staff responsible for the preservation of the body-worn camera recording(s) can easily identify who the recording(s) belonged to and the approximate time that will require redaction. When correctional officers and correctional sergeants provide these details with such specificity, it assists in an accurate, timely response, and prevents ISU staff from having to review unnecessary footage. After the correctional officer or correctional sergeant completes CDCR Form 1120, it is sent to their supervisor, then the Body-Worn Camera Coordinator, then the Warden, for approval and confirmation that a permitted deactivation event was recorded. Once all entities have approved and confirmed, the Investigative Services Unit redacts the footage.

The Approved Body-Worn Camera Deactivation Events Schedule (02/21/24) is based on the approved deactivation events as listed in the stipulation and order *RJD Remedial Plan and Five Prisons Remedial Plan*, Case No. C94 2307 CW. Some edits to the approved deactivation events per the Remedial Order are made to provide further clarification, and for grammatical correction purposes. Two additional events are added because of agreements made between CDCR and the Office of the Inspector General (OIG); and because of agreements between CDCR and the collective bargaining unit for Unit 6 employees. Specifically, the OIG requested CDCR to add the deactivation event requiring correctional officers and correctional sergeants to deactivate their body-worn cameras when the OIG was interviewing them during a Warden vetting process (interviewing staff for the potential hiring of a Warden). The OIG and CDCR determined these interviews are confidential in nature. Additionally, it was determined that for correctional officers and correctional sergeants who are required to wear body-worn cameras at non-court mandated institutions, i.e. California Correctional Institution, Central California Women's Facility, California State Prison, Sacramento, and Salinas Valley State Prison, the body-worn cameras are not required to be activated when there are no inmates present or when there is no inmate interaction.

Approved Body-Worn Camera Deactivation Events Schedule
(02/21/24)

- (1) During a restroom or lactation break;
- (2) While providing or receiving peer support under the Peer Support Program;
- (3) While making a supervisor-approved emergency phone call;
- (4) If a Union Representative is in an official union capacity and is providing representation to/consulting with an employee regarding union-related issues;
- (5) During a probation or performance review;
- (6) During discussions with personnel relative to possible corrective/disciplinary action (e.g., Equal Employment Opportunity, Employee Relations Office, Litigation Coordinator, requests to provide a random urinalysis sample, subpoena issuance);
- (7) During consultations with the Deputy Attorney General regarding his or her defense (i.e., attorney-client privileged conversations);
- (8) During a departmental meeting, and during training or while performing an activity deemed confidential in nature (e.g., fence safety check) pursuant to section 3321(a);
- (9) While being interviewed by the Office of the Inspector General during Warden vetting interviews;
- (10) While interviewing a current or potential confidential informant;
- (11) While interviewing the victim of a Prison Rape Elimination Act (PREA) allegation, as soon as the nature of the offense becomes apparent;
- (12) While conducting an unclothed search of a visitor;
- (13) During Board of Parole hearings;
- (14) During a Crisis Intervention Team meeting, and during an Interdisciplinary Treatment Team meeting;
- (15) During a medical assessment, appointment, or consultation wherein the expectation for confidentiality is assumed. If in the course of the medical assessment, appointment, or consultation, an inmate becomes assaultive or disruptive, the staff member shall reactivate their body-worn camera when reasonable to do so.
- (16) During employee COVID testing, vaccination, or contact tracing;
- (17) After completing the transportation of an inmate(s), and the vehicle is empty of all inmate passengers;
- (18) During an unclothed body search. In the course of the unclothed body search, if an inmate becomes assaultive or disruptive, the staff member shall reactivate their body-worn camera when reasonable to do so.
- (19) Upon arrival to a courthouse property, staff shall turn/power off their body-worn camera. At the conclusion of the court appointment, if returning to the home institution with an inmate(s) in the vehicle, staff shall turn/power on the body-worn camera once in the vehicle and off courthouse property. If returning to the home institution without any inmates in the vehicle, the body-worn camera shall be turned/power on upon arrival to the home institution.
- (20) Upon arrival to an outside hospital, private doctor's office, or medical clinic, staff shall turn/power their body-worn camera off. In the course of the medical visit, if an inmate

becomes assaultive or disruptive, the staff member shall turn/power their body-worn camera on when reasonable to do so. At the conclusion of the medical visit, and once in the vehicle, staff shall turn/power the body-worn camera on and ensure the camera is activated before beginning the transport to their next destination.

- (21) When the staff member is directed to participate in an Office of Internal Affairs (OIA), Allegation Inquiry Management Section (AIMS), or a Locally Designated Investigator (LDI) interview, the OIA, AIMS, or LDI staff conducting the interview shall instruct the interviewee to remove the body-worn camera, turn the device off, and place it on the table during the interview, confirming that the LED lights indicate the camera is not recording. When the OIA, AIMS, or LDI staff confirm the interview has concluded, and the interviewee has finished consulting with their representative/attorney (if present), the staff member shall reactivate the body-worn camera.

For California Correctional Institution; Central California Women's Facility; California State Prison, Sacramento; and Salinas Valley State Prison, the following additional deactivation events apply:

- (1) When there are no inmates present or when there is no inmate interaction.

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST
CDCR 1118 (Rev. 03/24)

I am requesting audio/video data from the Body-Worn Camera Server on a digital medium pursuant to Title 15 section 3270.3. By signing below, I acknowledge I will be responsible for inclusion of the data as evidence into the incident package, grievance or appeal package, or Rules Violation Report (RVR). Additionally, I understand I may be subject to adverse action, criminal prosecution, or both, for mishandling the information contained in the digital medium or for violating the conditions of this request.

Incident Log Number:
Grievance or Appeal Log Number:
RVR Log Number:
Other Circumstance:
Date: _____ Time: _____ Specific Location: _____
Post Number(s):

ITEM DESCRIPTION

1.	
2.	
3.	
4.	

REASON FOR REQUESTING VIDEO EVIDENCE

Requesting Person: _____
Print Name _____ Signature _____

Agency Requesting: _____
Other than CDCR Staff _____ Date Requested _____

Approved By: _____
ISU Supervisor Only _____ Signature _____

To Be Completed By ISU Staff

Date Requested:	Received By ISU Staff Person (Printed Name):
Date Request Received:	
Time Request Received:	Signature of ISU Staff Person:
Date/Time Requestor Contacted For Pickup:	
Recipient of Footage:	Date Request Completed:
Additional Information:	

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST

I am requesting audio/video data from the Body-Worn Camera server on a digital medium according to authorized procedures and policy. By signing below, I acknowledge I am approved to collect the data and will be responsible for the inclusion of the evidence to the incident package, appeal, or Rules Violation Report (RVR). Additionally, I understand I may be subject to adverse action and/or criminal prosecution for mishandling the information contained in the digital medium or for violating the conditions of this request.

Incident Log Number:		
Appeal Log Number:		
RVR Log Number:		
Other:		
Date:	Time:	Specific Location:
Post Number(s):		

ITEM DESCRIPTION

1.	
2.	
3.	
4.	

REASON FOR REQUESTING VIDEO EVIDENCE

Requesting Person: _____
Print Name _____
Signature

Agency Requesting: _____
Other than CDCR Staff _____
Date Requested

Approved By: _____
ISU Supervisor Only

To Be Completed By Person Receiving Evidence

Date Received:	Received By (Print Name):
Time Received:	Signature:
Date Requested:	Date Completed:
Date/Time Contacted For Pickup:	Evidence Officer:
Additional Information:	

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST DENIAL
CDCR 1119 (Rev. 03/24)

Name of Requestor:		
Incident Log Number:		
Date:	Time:	Specific Location:
Post Number:		

REASON FOR DENIAL

Per California Code of Regulations, Title 15, Section 3270.3(e)(1)(A), correctional officers and correctional sergeants may be denied approval to review their body-worn camera recording(s).

REASON:

Supervisor: _____
Print Name Signature

Date

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST DENIAL
CDCR 1119 (Rev. 02/23)

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST DENIAL

Name of Requesting Staff Member:		
Incident Log Number:		
Date:	Time:	Specific Location:
Post Number:		

REASON FOR DENIAL

Per the Memorandum of Understanding, Section 9.16 Video recordings (C)(1)(2), Bargaining Unit 6 employees will be allowed to review the video, unless at any point, a California Department of Corrections and Rehabilitation video relates to an incident involving allegation of misconduct, administration action is contemplated, or criminal or deadly force investigation is contemplated.

REASON:

Supervisor: _____
Print Name

Signature

Date

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST FOR REDACTION
CDCR 1120 (Rev. 03/24)

Requester Information

Name:		Personnel Number (PERNR):	
Date:	Approximate Start Time of Incident Requiring Redaction:		
	Approximate Stop Time of Incident Requiring Redaction:		
Brief Description of Incident Requiring Redaction:			
Post Number:		Signature:	

Supervisor Review

Name:		PERNR:	
Date of Review:		Signature:	
Comments:			

Body-Worn Camera Coordinator

Date of Review:		Signature:	
Comments:			

Warden

Date of Review:		Signature:	
Comments:			

Investigative Services Unit

Date Redaction Completed:	Printed Name	Signature:	
Comments:			

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST FOR REDACTION
CDCR 1120 (Rev. 02/23)

BODY-WORN CAMERA VIDEO EVIDENCE REQUEST FOR REDACTION

Requestor Information

Name:	PERNR:	
Date:	Time Started:	Time Stopped:
Brief Description of Incident Requiring Redaction:		
Post Number:	Signature:	

Supervisor Review

Name:	PERNR:
Date of Review:	Signature:
Comments:	

Body-Worn Camera Coordinator

Date of Review:	Signature:
Comments:	

Warden

Date of Review:	Signature:
Comments:	

Investigative Services Unit

Date Redaction Completed:	Printed Name and Signature:
Comments:	