



LAPD Video Release Policy Fact Sheet

As more and more police departments begin to use body-worn cameras, one challenge they face is deciding what to do when a camera records an officer-involved shooting or other serious use of force incident. Should the video be made public? And if so, when?

The Los Angeles Police Commission is considering a new policy on the release of video after “critical incidents”—which includes any incident in which an officer fires his gun, or someone dies in police custody. The Commission has asked the Policing Project at New York University School of Law to help gather input from the Los Angeles community on what the policy should be.

This fact sheet lays out some of the arguments that people have made both for and against releasing videos to the public. It also describes some of the policies in other cities.

What are some of the arguments in favor of releasing video?

Some have argued that releasing video after an officer-involved shooting can:

- Show that the department is open and transparent to the public;
- Increase public trust in the police department and its use of force investigations;
- Help the public understand how and when force is used by the police, and what the department’s policies do and do not permit officers to do;
- Ensure that officers are held accountable if they use force inappropriately;
- Provide more complete context, particularly if other video (such as from a cell phone camera) has been released publicly;
- Correct any rumors or misperceptions that the public may have about what occurred.

What are some of the arguments against releasing video?

Some have argued against releasing videos because doing so can:

- Make it more difficult for the department to investigate the incident. Witnesses may report what they see on the video instead of what they actually remember, or be less likely to come forward if they think the video tells the whole story;
- Cause distress to family members of either the officer or the civilian involved, particularly if the video is very graphic and is shared widely by mainstream or social media;
- Bias potential jurors in a criminal case against the officer or civilian involved;

- Create public confusion about what occurred, particularly if the video only captures part of the incident;
- Violate the privacy of the individuals captured in the recording, particularly if the incident takes place in a private home.

Police and prosecutors can reduce some of these risks by finishing investigations more quickly, holding a trial in a different city, or editing video to blur the faces of witnesses. Some of these options can be costly, and they may not always eliminate the concerns.

What is the LAPD's current policy?

The LAPD does not release videos of critical incidents to the public unless it is ordered to do so by a court, or the video is used at trial. Last year, the LAPD publicly released a surveillance camera video related to the shooting of Carnell Snell—but did not release any body-worn camera video related to the incident.

What are the policies in other departments?

Most police departments do not have a specific policy on the release of video after officer-involved shootings. The few policies that exist vary widely. Some departments release videos of officer-involved shootings relatively quickly. Others wait until a prosecutor decides whether or not to bring charges against the officer or civilian. Still others do not permit the release of video at all.

Below are summaries of three policies that permit release of video, at least in some circumstances:

- **Chicago:** Video of an officer-involved shooting or other critical incident must be made public within **60 days**. The department is encouraged to release video earlier if possible. The policy also permits a 30-day extension upon request from the police department or state or federal prosecutors.
- **Las Vegas:** The Las Vegas Metropolitan Police Department makes public video of officer-involved shootings approximately **5 to 10 days** after the incident. The department holds a press briefing at which it describes the incident, identifies the officer and civilian involved, and shows any videos that the department has.
- **San Diego County:** Police departments in San Diego County only make video public **after the District Attorney completes its investigation** of the incident and decides not to bring criminal charges either against the officer or civilian involved. If the District Attorney decides to bring charges, video is only made public at trial or at the conclusion of the case.

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