

EXECUTIVE ORDER



Subject: BWCs and One-Party Consent
Number
16-015
Effective Date
November 23, 2016
Related To: GO-SPT-302.13 (Body-Worn Camera Program) GO-SPT-304.04 (Interception of Wire or Oral Communications)

DISTRICT OF COLUMBIA

I. PURPOSE

The purpose of this executive order is to provide clarification on one-party consent, specifically as it applies to recordings made with body-worn cameras (BWCs).

II. DEFINITIONS

When used in this directive, the following terms shall have the meaning designated:

1. Body-worn camera (BWC) – camera system with secured internal memory for storage of recorded audio and video that is designed to be worn on the clothing of or otherwise secured to a person.
2. One-party consent – interception of wire and oral communications by the MPD, without having to obtain court authorization (e.g., when there is the consent of a party whose voice is being intercepted), as defined in GO-SPT-304.04 (Interception of Wire or Oral Communications).

III. REGULATIONS

- A. Members shall activate their BWCs to record events as specified in GO-SPT-302.13 (Body-Worn Camera Program). BWC recordings are covered by the “one-party consent” exception and do not require court authorization.
- B. Members making a request to conduct interceptions of wire or oral communications, which are not one-party consent, shall obtain court authorization in accordance with GO-SPT-304.04.

A handwritten signature in black ink, appearing to read "Peter Newsham".

Peter Newsham
Interim Chief of Police