

Video Recording And Photographing Of Ucdpd Members By The Public

379.1 PURPOSE AND SCOPE

Often when demonstrations occur, or when police officers are engaged in the normal course of their business of enforcement of the law on campus, there will be citizens, students or staff who may film, record or photograph such events. Such filming of our police officers is a right and persons engaged in doing so are legally entitled to take photographs or make recordings as long as they do not interfere with police activity.

379.2 POLICY

Filming, photographing, or otherwise recording ("recording") police officers engaged in their duties as such shall be permitted, unless such recording interferes with police activity.

379.3 FILMING OF OFFICERS BY THE PUBLIC

Officers are reminded that photography or video recordings of campus buildings, events or demonstrations are common and lawful activities on the UC Davis campus.

- (a) If a person is taking photographs or recording from a place where he/she has a right to be, members are reminded that this activity by itself does not constitute suspicious conduct.
- (b) In areas open to the public, officers shall allow bystanders the same access for photography as is given members of the news media, with the exception of a declared disaster area. Bystanders have the same right to take photographs or make recordings of officers discharging their duties as a member of the media, as long as the bystander has a legal right to be present where he/she is located.
- (c) Individuals have a right to be in public parks, on public streets or sidewalks and at locations of public protests.
- (d) Possession of a camera or other recording device does not allow the bystander to cross a police line, to enter an area that has been closed to the public, or any area designated as a crime scene.
- (e) Possession of a camera or other recording device does not provide access to a ticketed venue without a proper and valid press credential.

379.3.1 Officer Response To Persons Filming

In an era of cell phone cameras, small video cameras and recorders police officers often find themselves in the eye of the cameras held by bystanders. When persons with cameras are in a setting where they have a right to be, and it does not interfere with the officers safety, officers **shall not** inform or instruct people who are photographing officers, recording officers or police activity that they require a permit or credential.

Additionally officers **shall not**:

- (a) Order the person to cease the activity

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- (b) Demand the person's identification
- (c) Demand the person explain why they are photographing or recording the police activity
- (d) Detain the person
- (e) Intentionally block or obstruct cameras or recording devices
- (f) In any way threaten, intimidate or try to discourage an individual from recording members' enforcement activities.

379.3.2 Prohibited Activity By Members Of The Public

The public does not have the right to interfere with police activity. Prohibited conduct or interference consists of threats toward officers, actions or activities that prevent or hinder officers from doing their job.

- (a) When a person is photographing or recording police activity from a position that impedes or interferes with the safety of officers, an officer may direct that person to move to a position or place that will not interfere.
- (b) When a person is photographing or recording police activity from a position that impedes or threatens the safety of members of the public, an officer shall direct the person to move to a position that will not interfere.

Any persons who are photographing or recording police activity from a safe distance and absent any actions that obstruct or threaten the safety of officers does not constitute interference. Persons observing activity also have a right to voice criticisms as long as that expression does not jeopardize the safety of officers or incite others to violate the law.