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PUTTING THE CONSTITUTION FIRST IN ALL WE SAY AND DO

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TRENTON: Councilman Duncan W. Harrison Jr. will issue the following policy recommendation for the Trenton Police Department, in light of recent news. “In order for residents to have confidence in the Trenton Police Department we need to know that our most basic constitutional rights will be protected. The lines between justice and injustice **cannot** be blurred. We must ensure our officers have the right tools to perform their job in a professional manner” stated Councilman Harrison.

The **United States Department of Justice** issued a [statement of interest](#) on January 10, 2012, that asserts citizens’ constitutional right to record police officers during the regular execution of their duties. This statement was issued in light of the Baltimore Police Department being sued by a citizen who had recorded officers arresting a friend. The officers seized the camera, searched for the video of the recording, and deleted it. The Department of Justice made the following point:

“The right to record police officers while performing duties in a public place, as well as the right to be protected from the warrantless seizure and destruction of those recordings, are not only required by the Constitution. They are consistent with our fundamental notions of liberty, promote the accountability of our governmental officers, and instill public confidence in the police officers who serve us daily.” – US Department of Justice – Civil Rights Division – January 10, 2012

Additionally, numerous courts (**First Circuit** (*Glik v. Cunniffe*), (*Iacobucci v. Boulter*), **Seventh Circuit** (*ACLU v. Alvarez*), **Ninth Circuit** (*Fordyce v. City of Seattle*), (*Adkins v. Limtiaco*), **Eleventh Circuit** (*Smith v. City of Cumming*), & the **Appellate Division of Superior Court in New Jersey** (*Ramos v. Flowers*)) across our nation have also recognized this same right.

“With so much widespread evidence to support citizen’s right to videotape, photograph, and audio record police carrying out their officials duties I will be recommending that The Trenton Police Department adopt a general order and training that recognize this right,” stated Councilman Harrison. The DC Metropolitan Police Department issued a [similar order](#) in 2012. And so has the Philadelphia Police department in a [similar order](#) in 2011.

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