



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

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Recordings are Public Records

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Recordings are Public Records

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Fire departments have photographed and videoed fire training exercises and emergency responses for decades, and there is no doubt that photographs, videos, and audio files are useful tools for evaluating performance, training, and improving emergency response techniques and operations. Typically, in these instances, the photographer or videographer was a person who was there to record the event and was not involved in the emergency response or training exercise itself. The difference with a helmet cam or similar "person mounted" video recording device is that the person using the camera is most likely involved in the actual response and can perform duties and tasks without having to hold or think about using the camera. Since this person is involved in the emergency response, they are "right there" and the camera may record faces and sounds that would be missed by a bystander. Though not "person mounted," a cell phone or digital camera is very easy to use and is included when discussing the recording of fire department activities.

Tennessee Code Annotated § 10-7-503(a)(1)(A) states:

As used in this part and title 8, chapter 4, part 6, "public record or records" or "state record or records" means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.

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