



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

Published on *MTAS* (<https://www.mtas.tennessee.edu>)

January 17, 2020

Recordings are Public Records

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://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,

The University of Tennessee
Municipal Technical Advisory Service
1610 University Avenue
Knoxville, TN 37921-6741
865-974-0411 phone
865-974-0423 fax
www.mtas.tennessee.edu

Table of Contents

Recordings are Public Records	3
-------------------------------------	---

Recordings are Public Records

Reference Number: MTAS-1907

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.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

Source URL (retrieved on 01/17/2020 - 1:30pm): <https://www.mtas.tennessee.edu/reference/recordings-are-public-records-0>



Municipal Technical Advisory Service
INSTITUTE for PUBLIC SERVICE