Affidavit IN SUPPORT OF

LIMITED Release of Body-worn Camera recording

Comes the Affiant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and after being duly sworn, states as follows:

1. I am an attorney licensed to practice law in Kentucky. My bar admission number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
2. I have not been disciplined under the Rules of Professional Conduct or have otherwise been found by a court of law to have violated an affidavit in support of limited release of body-worn camera recording under KRS 61.169.
3. I am the attorney representing [INSERT CLIENT’S NAME] in a matter directly related to an incident involving [CITY] Police Department on [DATE OF INCIDENT].
4. [CLIENT] is directly involved in the incident contained in the body-worn camera recording I requested.
5. Pursuant to KRS 61.169, I am being provided a copy of a body-worn camera recording depicting [insert event information: Location; type of Encounter; Citation or Police department case number, if any; date; time] from the following officer(s): [list all officers names].
6. The recording has been provided to me in the following format: [DESCRIBE MEDIA (Ex: Three (3) DVDs; One (1) flash drive, etc.); NUMBER OF FILES; APPROXIMATE DURATION OF VIDEO RECORDING].
7. I will only use the recording for the sole purposes of evaluating or preparing for an existing or potential court case or administrative proceeding or in consulting with insurance companies on matters related to insurance coverage of incidents that are depicted in the recording
8. I will not distribute duplicate copies of the recording except for the sole purpose of having an expert or other professional consultant provide analysis to the attorney for the purposes of evaluating or preparing for an existing or potential court case or administrative proceeding or with an insurance company for the purposes of accessing claims coverage, settlement or other matters involving an insurance contract
9. I will execute a contract with any expert, professional consultant or insurance company that is provided a duplicate copy of the recording that requires the expert or professional consultant to be bound by the same limitations and requirements as the attorney for the care and custody of the recording
10. I will not allow individuals or others that are not under the attorney’s control or supervision the ability to view the contents of the recording in any form except for the sole purpose of preparation for an existing or potential court or administrative proceeding, communications regarding matters related to insurance or for the purposes of displaying the recording as evidence in any court or administrative proceeding
11. I will destroy any copy of the recording when the recording is no longer used for the stated purpose or the court or administrative proceeding has been finally adjudicated to its conclusion
12. I acknowledge that as an officer of the court I may be subject to professional discipline or other legal liability for breach of this affidavit.
13. I acknowledge that under KRS 61.169, if I violate this affidavit, the [INSERT CITY/AGENCY NAME] shall refer the matter to the Kentucky Bar Association for it to consider any appropriate action under the Kentucky Rules of Professional Conduct. [INSERT CITY/AGENCY NAME] may take any additional legal action against an attorney for such a violation.

Further Affiant Sayeth Naught.

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Affiant Signature

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Affiant Printed Name

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STATE OF KENTUCKY

COUNTY OF FAYETTE

​Subscribed and sworn to before me by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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