

1 A bill to be entitled
 2 An act relating to law enforcement officer body
 3 cameras; creating s. 943.1718, F.S.; providing
 4 definitions; requiring a law enforcement agency that
 5 permits its law enforcement officers to wear body
 6 cameras to establish policies and procedures
 7 addressing the proper use, maintenance, and storage of
 8 body cameras and the data recorded by body cameras;
 9 requiring such policies and procedures to include
 10 specified information; requiring a law enforcement
 11 agency that permits its law enforcement officers to
 12 wear body cameras to ensure that specified personnel
 13 are trained in the law enforcement agency's policies
 14 and procedures, to retain data recorded by body
 15 cameras in accordance with the requirements of s.
 16 119.021, F.S., and to perform a periodic review of
 17 actual agency body camera practices to ensure
 18 conformity with the agency's policies and procedures;
 19 providing an effective date.

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 21 WHEREAS, advancements in technology allow body cameras to
 22 be affordable and practical tools for law enforcement use, and

23 WHEREAS, body cameras can provide a valuable source of
 24 information to both law enforcement and the general public, and

25 WHEREAS, the audio and video recording of police and
 26 citizen interactions allows law enforcement agencies to improve

27 | efforts to reduce crime and properly address citizen complaints,
 28 | and

29 | WHEREAS, establishing uniform procedural requirements for
 30 | the use of body cameras by law enforcement will provide
 31 | consistency and reliability throughout the State, and

32 | WHEREAS, there are currently no statewide mandatory and
 33 | uniform standards or guidelines that apply to use of body
 34 | cameras by law enforcement officers, NOW, THEREFORE,

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 36 | Be It Enacted by the Legislature of the State of Florida:

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 38 | Section 1. Section 943.1718, Florida Statutes, is created
 39 | to read:

40 | 943.1718 Body cameras; policies and procedures.—

41 | (1) As used in this section, the term:

42 | (a) "Body camera" means a portable electronic recording
 43 | device that is worn on a law enforcement officer's person that
 44 | records audio and video data of the officer's activities;

45 | (b) "Law enforcement agency" means an agency that has a
 46 | primary mission of preventing and detecting crime and the
 47 | enforcement of the penal, criminal, traffic, or highway laws of
 48 | the state and that in furtherance of that primary mission
 49 | employs law enforcement officers as defined in s. 943.10, F.S.

50 | (2) A law enforcement agency that permits its law
 51 | enforcement officers to wear body cameras shall establish
 52 | policies and procedures addressing the proper use, maintenance,

53 and storage of body cameras and the data recorded by body
 54 cameras. The policies and procedures must include:
 55 (a) General guidelines for the proper use, maintenance,
 56 and storage of body cameras;
 57 (b) Any limitations on which law enforcement officers are
 58 permitted to wear body cameras;
 59 (c) Any limitations on the situations in which law
 60 enforcement officers are permitted to wear body cameras; and
 61 (d) General guidelines for the proper storage, retention,
 62 and release of audio and video data recorded by body cameras.
 63 (3) A law enforcement agency that permits its law
 64 enforcement officers to wear body cameras shall:
 65 (a) Ensure that all personnel who wear, use, maintain, or
 66 store body cameras are trained in the law enforcement agency's
 67 policies and procedures;
 68 (b) Ensure that all personnel who or use, maintain, store,
 69 or release audio or video data recorded by body cameras are
 70 trained in the law enforcement agency's policies and procedures;
 71 (c) Retain audio and video data recorded by body cameras
 72 in accordance with the requirements of s. 119.021, F.S., except
 73 as otherwise provided by law; and
 74 (d) Perform a periodic review of actual agency body camera
 75 practices to ensure conformity with the agency's policies and
 76 procedures.
 77 (4) Chapter 934 does not apply to body camera recordings
 78 made by law enforcement agencies that elect to use body cameras.

PCS for HB 57

ORIGINAL

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Section 2. This act shall take effect January 1, 2016.

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