

By Senator Smith

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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 authorizes 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 such a law
11 enforcement agency to ensure that specified personnel
12 are trained in the law enforcement agency's policies
13 and procedures; requiring that data recorded by body
14 cameras be retained in accordance with specified
15 requirements; requiring a periodic review of agency
16 body camera practices to ensure conformity with the
17 agency's policies and procedures; exempting the
18 recordings from ch. 934, F.S., relating to security of
19 communications and surveillance; providing an
20 effective date.

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

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

26 WHEREAS, the audio and video recording of police and
27 citizen interactions allows law enforcement agencies to improve
28 efforts to reduce crime and properly address citizen complaints,
29 and

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WHEREAS, establishing uniform procedural requirements for the use of body cameras by law enforcement will provide consistency and reliability throughout the state, and

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

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

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

943.1718 Body cameras; policies and procedures.—

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

(a) "Body camera" means a portable electronic recording device that is worn on a law enforcement officer's person that records audio and video data of the officer's law-enforcement-related encounters and activities.

(b) "Law enforcement agency" means an agency that has a primary mission of preventing and detecting crime and enforcing the penal, criminal, traffic, and motor vehicle laws of the state and in furtherance of that primary mission employs law enforcement officers as defined in s. 943.10.

(c) "Law enforcement officer" has the same meaning as provided in s. 943.10.

(2) A law enforcement agency that authorizes its law enforcement officers to wear body cameras shall establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras. The policies and procedures must include:

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59 (a) General guidelines for the proper use, maintenance, and
60 storage of body cameras.

61 (b) Any limitations on which law enforcement officers are
62 authorized to wear body cameras.

63 (c) Any limitations on law-enforcement-related encounters
64 and activities in which law enforcement officers are authorized
65 to wear body cameras.

66 (d) General guidelines for the proper storage, retention,
67 and release of audio and video data recorded by body cameras.

68 (3) A law enforcement agency that authorizes its law
69 enforcement officers to wear body cameras shall:

70 (a) Ensure that all personnel who wear, use, maintain, or
71 store body cameras are trained in the law enforcement agency's
72 policies and procedures concerning them.

73 (b) Ensure that all personnel who use, maintain, store, or
74 release audio or video data recorded by body cameras are trained
75 in the law enforcement agency's policies and procedures.

76 (c) Retain audio and video data recorded by body cameras in
77 accordance with the requirements of s. 119.021, except as
78 otherwise provided by law.

79 (d) Perform a periodic review of actual agency body camera
80 practices to ensure conformity with the agency's policies and
81 procedures.

82 (4) Chapter 934 does not apply to body camera recordings
83 made by law enforcement agencies that elect to use body cameras.

84 Section 2. This act shall take effect upon becoming a law.