



SENATE BILL 148: Public Records/Release of LEO Recordings.

2019-2020 General Assembly

Committee:		Date:	January 24, 2020
Introduced by:		Prepared by:	Shawn Middlebrooks Staff Attorney
Analysis of:	S.L. 2019-48		

OVERVIEW: *S.L. 2019-48 amends G.S. 132-1.4A to clarify a law enforcement agency's responsibility to disclose and release certain recordings.*

This act became effective on June 26, 2019.

CURRENT LAW:

G.S. 132-1.4A governs access to visual and audio recordings captured by law enforcement such as footage from a body-worn camera or a dashboard camera. Recordings are not public records.

The law only permits disclosure or release of a recording in one of the following instances:

- At the written request of person whose image or voice is in the recording or that person's representative.
- By court order.
- For prosecutorial purpose.
- For *limited* law enforcement purposes.

A law enforcement agency may disclose or release a recording for training, administrative, and law enforcement purposes.

BILL ANALYSIS: Senate Bill 148 expands the circumstances that a law enforcement agency may release and disclose a recording to include *suspect identification or apprehension* and *to locate missing or abducted persons*.

EFFECTIVE DATE: This act became effective June 26, 2019.

BACKGROUND: The rising prevalence of law enforcement agencies operating recording devices required the enactment of S.L. 2016-88. S.L. 2016-88 created the statute that governs access to footage from a body-worn camera.

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