



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

2019-2020 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: April 16, 2019
Introduced by: Sen. D. Davis	Prepared by: Shawn Middlebrooks
Analysis of: Second Edition	Staff Attorney*

OVERVIEW: *Senate Bill 148 would amend law enforcement's ability to disclose and release recordings.*

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 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 would expand the purposes that law enforcement may release and disclose a recording to include suspect identification or apprehension and to locate missing or abducted persons.

EFFECTIVE DATE: This act is effective when it becomes law.

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.

* Staff Attorney Jennifer Bedford substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578