



This Bill Analysis reflects the contents of the bill as it was presented in committee.

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

2019-2020 General Assembly

<b>Committee:</b>	House Judiciary. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	June 5, 2019
<b>Introduced by:</b>	Sen. D. Davis	<b>Prepared by:</b>	Shawn Middlebrooks Staff Attorney
<b>Analysis of:</b>	PCS to Second Edition S148-CSBQ-29		

**OVERVIEW:** *The Proposed Committee Substitute (PCS) to Senate Bill 148 would amend law enforcement's ability to disclose and release recordings and would correct the long title to accurately reflect the current content of the bill.*

**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:** The PCS to 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.

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