



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

2019-2020 General Assembly

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<b>Committee:</b>	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	April 10, 2019
<b>Introduced by:</b>	Sen. D. Davis	<b>Prepared by:</b>	Jennifer H. Bedford
<b>Analysis of:</b>	PCS to First Edition S148-CSTT-24		Staff Attorney

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**OVERVIEW:** *The PCS for 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 could release and disclose a recording.
- Allow the law enforcement agency with custody of the recording to have sole discretion over the decision to disclose or release a recording for one of the permitted law enforcement purposes.

**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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