

2021 -- H 6438

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATEWIDE BODY-WORN
CAMERA PROGRAM

Introduced By: Representatives Batista, Alzate, Williams, Baginski, Potter, Henries,
Slater, Cassar, Biah, and Diaz

Date Introduced: June 16, 2021

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 160

4 STATEWIDE BODY-WORN CAMERA PROGRAM

5 **42-160-1. Short title.**

6 This chapter shall be known and may be cited as the "Statewide Body-Worn Camera
7 Program."

8 **42-160-2. Definitions.**

9 As used in this chapter:

10 (1) "Attorney general" means the attorney general of the state of Rhode Island, or designee;

11 (2) "Body-worn camera" means a video and audio recording device that is carried by, or
12 worn on the body of, a law enforcement officer and that is capable of recording the actions and
13 interactions of the officer and the public;

14 (3) "Director of the department of public safety" means the director of public safety
15 appointed by the governor pursuant to §42-7.3-5, or designee.

16 (4) "Public safety grant administration office" means the public safety grant administration
17 office as defined in chapter 26 of title 42.

18 (5) "State-supported implementation period" means a period of five (5) years beginning on

1 [July 1, 2021 and ending on June 30, 2026.](#)

2 **42-160-3. Powers of attorney general and department of public safety --**

3 **Establishment of grant program.**

4 [\(a\) The director of the department of public safety is hereby authorized, within available](#)
5 [funds, to award grants and other forms of funding to facilitate the adoption of body-worn cameras](#)
6 [by Rhode Island police departments. The director of the department of public safety may also](#)
7 [coordinate state applications for federal funds available for body-worn camera adoption.](#)

8 [\(b\) The director of the department of public safety may, in coordination with the](#)
9 [department of administration, facilitate body-worn camera procurement by Rhode Island police](#)
10 [departments through state master price agreement contracts in accordance with § 37-2-56.](#)

11 [\(c\) The attorney general and the director of the department of public safety, in consultation](#)
12 [with the Rhode Island police chiefs' association, is responsible for developing statewide policies,](#)
13 [procedures, and guidelines for the use and operation of body-worn cameras.](#)

14 [\(d\) The attorney general and the director of the department of public safety, in consultation](#)
15 [with the Rhode Island police chiefs' association, may survey and assess police department body-](#)
16 [worn camera needs, evaluate body-worn camera solutions and budgetary costs, and facilitate the](#)
17 [provision of technical assistance for Rhode Island police departments adopting body-worn cameras.](#)

18 [\(e\) All appropriations in support of provisions of this chapter shall be housed within the](#)
19 [department of public safety.](#)

20 [\(f\) No money appropriated in the state budget shall be awarded for Rhode Island police](#)
21 [department body-worn camera expenses incurred before or after the state-supported](#)
22 [implementation period.](#)

23 [\(g\) No money appropriated in the state budget shall be distributed for Rhode Island police](#)
24 [department body-worn camera expenses before rules and regulations are promulgated pursuant to](#)
25 [§ 42-160-4.](#)

26 **42-160-4. Rules and regulations -- Statewide policies, procedures, and guidelines for**
27 **the use and operation of body-worn cameras.**

28 [\(a\) The director of the department of public safety in consultation with the attorney general](#)
29 [shall promulgate rules and regulations, pursuant to chapter 35 of title 42 of the general laws, to](#)
30 [develop the criteria and manner in which funds are awarded to Rhode Island police departments](#)
31 [under this chapter; and](#)

32 [\(b\) The attorney general and the director of the department of public safety, in consultation](#)
33 [with the Rhode Island police chiefs' association, shall promulgate rules and regulations, pursuant](#)
34 [to chapter 35 of title 42 of the general laws, after holding a public hearing, to create a policy for the](#)

1 use and operation of body-worn cameras. This policy shall address at a minimum, but not be limited
2 to:

- 3 (1) Proper use of equipment;
- 4 (2) Data and equipment security;
- 5 (3) Activation and deactivation of cameras;
- 6 (4) Notification to the public of recording;
- 7 (5) Records retention procedures and timelines;
- 8 (6) Access to data by law enforcement and the public;
- 9 (7) Privacy protections, including redaction procedures; and
- 10 (8) Compliance monitoring.

11 (c) The public safety grant administration office shall condition the award of money under
12 this chapter on the certification of a police chief, or highest ranking sworn member of a law
13 enforcement agency, that the certifying chief's department has adopted the policy referenced in
14 §42-160-4(b).

15 **42-160-5. Reporting requirements.**

16 The director of the department of public safety shall publish a report on the funding of the
17 statewide body-worn camera program within sixty (60) days following the end of each fiscal year.
18 The report shall contain information on the commitment, disbursement, and use of funds pursuant
19 to this chapter. The director of the department of public safety shall provide a copy of the report to
20 the governor, attorney general, speaker of the house and senate president.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATEWIDE BODY-WORN
CAMERA PROGRAM

- 1 This act would create a statewide body-worn camera program for police departments in the
- 2 state.
- 3 This act would take effect upon passage.

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