

As Reported by the House Local Government Committee

131st General Assembly

Regular Session

2015-2016

H. B. No. 407

Representatives Boyce, Grossman

Cosponsors: Representatives Antonio, Ashford, Boyd, Celebrezze, Cera, Craig, Curtin, DeVitis, Driehaus, Hackett, Hambley, Howse, Kuhns, Leland, Lepore-Hagan, O'Brien, M., Patterson, Phillips, Ramos, Reece, Rogers, Sheehy, Slesnick, Smith, K., Strahorn, Stinziano, Sykes

A BILL

To enact section 2935.034 of the Revised Code to
require law enforcement agencies that use body
cameras to adopt written policies for operation
of the cameras and to require agencies to make
the adopted policies available to the public.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2935.034 of the Revised Code be
enacted to read as follows:

Sec. 2935.034. (A) As used in this section, "law
enforcement agency" means the state highway patrol, a municipal
police department, a sheriff's office, a police department of a
township or a joint police district, or a state university
police department.

(B) Not later than six months after the effective date of
this section, any law enforcement agency that makes use of body
cameras shall adopt a written policy for the use of body cameras
by law enforcement officers. If a law enforcement agency begins

to make use of body cameras after the effective date of this 17
section, the agency shall adopt a written policy within six 18
months after beginning the use of body cameras. The chief 19
officer of the law enforcement agency shall formally advise each 20
officer the agency employs of its body camera policy. A policy 21
shall include provisions addressing all of the following 22
subjects: 23

(1) The officers who are required to wear the body 24
cameras; 25

(2) Activities during which operation of the body camera 26
is mandatory, optional, or prohibited; 27

(3) Standard procedures for obtaining consent to operate 28
the body camera when entering private residences and exceptions 29
to the consent requirement for circumstances in which obtaining 30
consent would be impracticable; 31

(4) Standard procedures for reviewing citizen complaints 32
and conducting internal investigations, specifying circumstances 33
in which camera footage must be reviewed; 34

(5) Standard procedures for responding to public record 35
requests for body camera footage; 36

(6) Record retention requirements, including the length of 37
time body camera footage shall be retained and the method of 38
storing that footage; 39

(7) The officials within the agency who have authority to 40
access records of body camera footage; 41

(8) The officials within the agency who may edit body 42
camera footage and the circumstances in which editing is 43
permissible; 44

<u>(9) Sanctions for an officer who fails to comply with any</u>	45
<u>provision in the agency's body camera policy;</u>	46
<u>(10) Frequency of the agency's review of technology</u>	47
<u>advances and best practices in the field for use of body</u>	48
<u>cameras.</u>	49
<u>(C) Upon adopting a body camera policy, a law enforcement</u>	50
<u>agency shall make its policy available and readily accessible to</u>	51
<u>the public.</u>	52