

AMENDED IN ASSEMBLY MARCH 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 69**

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**Introduced by Assembly Member Rodriguez**

December 18, 2014

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An act to add Section 832.18 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 69, as amended, Rodriguez. Peace officers: body-worn cameras.

Existing law makes it a crime to intentionally record a confidential communication without the consent of all parties to the communication. Existing law exempts specified peace officers from that provision if they are acting within the scope of their authority.

~~This bill would state the intent of the legislature to enact legislation to require all peace officers statewide to wear body cameras to capture their interactions with the public.~~

*This bill would require law enforcement agencies to follow specified best practices when establishing policies and procedures for downloading and storing data from body-worn cameras.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 832.18 is added to the Penal Code, to*
- 2     *read:*
- 3     *832.18. (a) It is the intent of the Legislature to establish*
- 4     *policies and procedures to address issues related to the*

1 *downloading and storage data recorded by a body-worn camera*  
2 *worn by a peace officer. These policies and procedures shall be*  
3 *based on best practices.*

4 *(b) When establishing policies and procedures for the*  
5 *implementation and operation of a body-worn camera system, law*  
6 *enforcement agencies, departments, or entities shall consider the*  
7 *following best practices regarding the downloading and storage*  
8 *of body-worn camera data:*

9 *(1) Designate the person responsible for downloading the*  
10 *recorded data from the body-worn camera.*

11 *(2) Establish when data should be downloaded.*

12 *(3) Include specific measures to prevent data tampering,*  
13 *deleting, and copying.*

14 *(4) Categorize and tag body-worn camera video at the time the*  
15 *data is downloaded and classified according to the type of event*  
16 *or incident captured in the data.*

17 *(5) State the length of time that recorded data shall be stored.*

18 *(6) State where the body-worn camera data will be stored.*

19 *(7) If using a third-party vendor to manage the data storage*  
20 *system, the following factors shall be considered to protect the*  
21 *security and integrity of the data:*

22 *(A) Using an experienced and reputable third-party vendor.*

23 *(B) Entering into contracts that govern the vendor relationship*  
24 *and protect the agency’s data.*

25 *(C) Using a system that has a built in audit trail to prevent data*  
26 *tampering and unauthorized access.*

27 *(D) Using a system that has a reliable method for automatically*  
28 *backing up data for storage.*

29 *(E) Consulting with internal legal counsel to ensure the method*  
30 *of data storage meets legal requirements for chain-of-custody*  
31 *concerns.*

32 *(F) Using a system that includes technical assistance*  
33 *capabilities.*

34 ~~SECTION 1. It is the intent of the legislature to enact legislation~~  
35 ~~to require all peace officers statewide to wear body cameras to~~  
36 ~~capture their interactions with the public.~~