

By Senator Bracy

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1 A bill to be entitled  
2 An act relating to law enforcement officer body and  
3 vehicle dash cameras; amending s. 943.1718, F.S.;  
4 providing legislative intent; defining the term  
5 "vehicle dash camera"; requiring every law enforcement  
6 agency to mandate that its law enforcement officers  
7 wear body cameras and use vehicle dash cameras;  
8 requiring law enforcement agencies to establish  
9 specified policies and procedures; deleting a  
10 provision relating to applicability; providing a  
11 declaration of important state interest; providing an  
12 effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Section 943.1718, Florida Statutes, is amended  
17 to read:

18 943.1718 Body cameras and vehicle dash cameras required;  
19 policies and procedures.—

20 (1) It is the intent of the Legislature to require that all  
21 law enforcement officers in this state wear body cameras and use  
22 vehicle dash cameras to ensure the safety of both the law  
23 enforcement officers and members of the public and for purposes  
24 of accountability and accuracy in instances when the  
25 circumstances surrounding a law-enforcement-related encounter or  
26 activity is in question.

27 (2) As used in this section, the term:

28 (a) "Body camera" means a portable electronic recording  
29 device ~~that is~~ worn on a law enforcement officer's person which

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30 ~~that~~ records audio and video data of the officer's law-  
31 enforcement-related encounters and activities.

32 (b) "Law enforcement agency" means an agency that has a  
33 primary mission of preventing and detecting crime and enforcing  
34 the penal, criminal, traffic, and motor vehicle laws of the  
35 state and in furtherance of that primary mission employs law  
36 enforcement officers as defined in s. 943.10.

37 (c) "Law enforcement officer" has the same meaning as  
38 provided in s. 943.10.

39 (d) "Vehicle dash camera" means a nonportable electronic  
40 recording device used by a law enforcement officer in a law  
41 enforcement officer's vehicle which records audio or video data  
42 of the officer's law-enforcement-related encounters and  
43 activities.

44 (3)(2) Every A law enforcement agency shall require ~~that~~  
45 ~~permits~~ its law enforcement officers to wear body cameras and  
46 use vehicle dash cameras and shall establish policies and  
47 procedures addressing the proper use, maintenance, and storage  
48 of body cameras and vehicle dash cameras and the data recorded  
49 by the body cameras and vehicle dash cameras. The policies and  
50 procedures must include:

51 (a) General guidelines for the proper use, maintenance, and  
52 storage of body cameras and vehicle dash cameras.

53 (b) Any limitations on which law enforcement officers are  
54 permitted to wear body cameras and use vehicle dash cameras.

55 (c) Any limitations on law-enforcement-related encounters  
56 and activities in which law enforcement officers are permitted  
57 to wear body cameras and use vehicle dash cameras.

58 (d) A provision permitting a law enforcement officer using

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59 a body camera or vehicle dash camera to review the recorded  
60 footage from the body camera or vehicle dash camera, upon his or  
61 her own initiative or request, before writing a report or  
62 providing a statement regarding any event arising within the  
63 scope of his or her official duties. Any such provision may not  
64 apply to an officer's inherent duty to immediately disclose  
65 information necessary to secure an active crime scene or to  
66 identify suspects or witnesses.

67 (e) General guidelines for the proper storage, retention,  
68 and release of audio and video data recorded by body cameras and  
69 vehicle dash cameras.

70 ~~(4)-(3)~~ Each A law enforcement agency under subsection (3)  
71 ~~that permits its law enforcement officers to wear body cameras~~  
72 shall:

73 (a) Ensure that all personnel who ~~wear~~, use, maintain, or  
74 store body cameras and vehicle dash cameras are trained in the  
75 law enforcement agency's policies and procedures concerning  
76 them.

77 (b) Ensure that all personnel who use, maintain, store, or  
78 release audio or video data recorded by body cameras and vehicle  
79 dash cameras are trained in the law enforcement agency's  
80 policies and procedures.

81 (c) Retain audio and video data recorded by body cameras in  
82 accordance with the requirements of s. 119.021, except as  
83 otherwise provided by law.

84 (d) Perform a periodic review of actual agency body camera  
85 and vehicle dash camera practices to ensure conformity with the  
86 agency's policies and procedures.

87 ~~(4) Chapter 934 does not apply to body camera recordings~~

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88 ~~made by law enforcement agencies that elect to use body cameras.~~

89       Section 2. The Legislature finds that a proper and  
90 legitimate state purpose is served by safeguarding law  
91 enforcement officers and the persons they interact with on a  
92 daily basis and by validating the accuracy of the circumstances  
93 surrounding such interactions. The Legislature determines and  
94 declares that this act fulfills an important state interest.

95       Section 3. This act shall take effect July 1, 2021.