

SENATE BILL No. 325

May 12, 2015, Introduced by Senators YOUNG, SCHUITMAKER and JOHNSON and referred to the Committee on Judiciary.

A bill to create a pilot program for the use of body-worn cameras by certain law enforcement officers; to provide funding for law enforcement agencies to use body-worn cameras; and to require retention and provide for the production by law enforcement agencies of recordings made by the body-worn cameras.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "law
2 enforcement body-worn camera act".

3 Sec. 2. As used in this act:

4 (a) "Law enforcement agency" means an entity of this state or
5 of a local unit of government of this state that employs law
6 enforcement officers.

7 (b) "Law enforcement officer" means that term as defined in
8 section 2 of the law enforcement commission on standards act, 1965

1 PA 203, MCL 28.602.

2 Sec. 3. (1) The department of treasury, in cooperation with
3 the department of state police, shall implement a pilot program to
4 fund the use of body-worn cameras by certain law enforcement
5 officers. The program will be initially implemented with a law
6 enforcement agency operating in a county having a population of
7 1,500,000 or more.

8 (2) The department of treasury shall administer the grants
9 under this act to fund the law enforcement body-worn camera pilot
10 program. Law enforcement agencies in a county having a population
11 of 1,500,000 or more may apply for a grant to fund the use of body-
12 worn cameras under this act by filing a written application with
13 the department of treasury. The funding of all grants under this
14 act is subject to appropriation.

15 Sec. 4. (1) The department of state police shall accept,
16 store, and maintain all data submitted to the department of state
17 police by a law enforcement agency that is utilizing body-worn
18 cameras under this act. The department of state police shall
19 develop a written policy for the storage and maintenance of audio
20 and video recorded by a body-worn camera under this act. A copy of
21 that policy shall be provided to a law enforcement agency
22 participating in the body-worn camera pilot program.

23 (2) The department of state police shall retain audio and
24 video recorded by a body-worn camera and submitted to the
25 department of state police under this act for 5 years.

26 (3) The department of state police shall develop a written
27 policy describing how an individual may request a copy of audio and

1 video recorded by a body-worn camera under this act. The policy
2 shall be published on the department of state police's website.

3 Sec. 5. (1) A law enforcement officer employed by a law
4 enforcement agency that applies for and receives a grant under this
5 act shall wear a body-worn camera while he or she is in uniform, on
6 duty, and conducting patrol work.

7 (2) Subject to subsection (3), a law enforcement officer
8 wearing a body-worn camera under this act shall activate the
9 recording function of the camera and make his or her best effort to
10 record interactions with other individuals whenever the officer is
11 on duty and effects a traffic stop upon an individual.

12 (3) A law enforcement officer wearing a body-worn camera under
13 this act may temporarily stop recording with a body-worn camera
14 when he or she is interviewing the alleged victim of a crime and
15 that individual states that he or she does not want to be recorded
16 by the body-worn camera, or when the officer is engaged in a
17 personal matter, such as a personal conversation or using the
18 bathroom.

19 (4) A law enforcement officer wearing a body-worn camera under
20 this act shall complete training on the proper use of a body-worn
21 camera.

22 (5) A law enforcement agency participating in the body-worn
23 camera pilot program shall develop a written policy for submitting
24 audio and video recorded by a body-worn camera to the department of
25 state police. A law enforcement agency participating in the body-
26 worn camera pilot program shall submit audio and video recorded by
27 a body-worn camera related to a fatal incident or excessive force

1 complaint within 24 hours of the incident or complaint to the
2 department of state police.

3 Sec. 6. The department of treasury, in cooperation with the
4 department of state police, shall review law enforcement body-worn
5 camera programs funded by grants under this act on an annual basis
6 for effectiveness and for compliance with the requirements of this
7 act. The department of treasury, in cooperation with the department
8 of state police, shall report its findings under this section in
9 writing to the secretary of the senate and to the clerk of the
10 house of representatives annually. The report shall also identify
11 each law enforcement agency that has applied for a grant under this
12 act, the amount requested, and the amount received.