

No. 163. An act relating to a model State policy for use of body cameras by law enforcement officers.

(S.174)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LAW ENFORCEMENT ADVISORY BOARD; MODEL STATE
POLICY; BODY CAMERAS

(a)(1) On or before December 15, 2016, the Law Enforcement Advisory Board shall establish and report in the form of proposed legislation to the Senate and House Committees on Judiciary and on Government Operations a statewide policy for the use of body cameras by Vermont law enforcement officers.

(2) The report required by this subsection shall include a section addressing:

(A) any costs associated with establishing the statewide policy, including strategies for minimizing the costs of obtaining cameras and storing data; and

(B) potential grants available to alleviate the costs of establishing the statewide policy.

(b) The model policy required by this section shall include provisions regarding:

(1) when a law enforcement officer should wear a body camera;

(2) under what circumstances a law enforcement officer wearing a body camera should turn the camera on and off, and a requirement that the officer provide the reasons for doing so each time the camera is turned on and off;

(3) when a video recording made by a law enforcement officer's body camera should be exempt from disclosure under the Public Records Act as determined by 1 V.S.A. chapter 5, subchapter 3; and

(4) treatment of situations when a law enforcement officer's body camera malfunctions or is unavailable.

(c) A law enforcement agency or constable that does not use body cameras shall not be required to adopt a model policy regarding their use.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: June 2, 2016