

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4160

By: Goodwin

AS INTRODUCED

An Act relating to criminal procedure; requiring the use of audio or audiovisual recording equipment under certain circumstances; prohibiting officers from modifying recordings; making certain acts unlawful; providing penalty; defining term; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 212 of Title 22, unless there is created a duplication in numbering, reads as follows:

A. Beginning November 1, 2022, every law enforcement agency in this state that supplies its officers with audio or audiovisual recording equipment shall be required to have its officers use the audio or audiovisual recording equipment at all times when responding to a call for service or at the initiation of any other law enforcement or investigative encounter between officers and members of the public.

B. Except as required by federal or state law or authorized by a policy of the law enforcement agency, no officer of a law

1 enforcement agency in this state shall edit, redact, erase, copy, or
2 otherwise alter or distribute in any manner an audio or audiovisual
3 recording made by the audio or audiovisual recording equipment or
4 the data from such recording.

5 C. It shall be unlawful for a law enforcement officer, with the
6 intent to obstruct justice, to fail to turn on, to disable, to turn
7 off, or operate audio or audiovisual recording equipment in any
8 manner that prevents the creation of evidence. Any law enforcement
9 officer who violates the provisions of this subsection shall, upon
10 conviction, be guilty of a misdemeanor.

11 D. As used in this section, "audio or audiovisual recording
12 equipment" means an electronic recording device that is capable of
13 recording audio or video with sound.

14 SECTION 2. This act shall become effective November 1, 2022.

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16 58-2-10102 GRS 01/18/22

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