

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3598

By: Ford

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8 COMMITTEE SUBSTITUTE

9 An Act relating to criminal procedure; defining
10 terms; directing law enforcement agencies to
11 establish policies and procedures relating to the
12 use, maintenance, and storage of certain cameras;
13 requiring certain policies and procedures;
14 establishing requirements for peace officers who
15 utilize vehicle mounted cameras or wear body cameras;
16 providing for codification; and providing an
17 effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 23 of Title 22, unless there is
21 created a duplication in numbering, reads as follows:

22 A. As used in this section:

23 1. "Body camera" means a portable electronic recording device
24 that is worn on the person of a peace officer that records audio and
25 video data of the law enforcement-related encounters and activities
26 of the peace officer;

1 2. "Fixed security camera" means an electronic recording device
2 that is permanently mounted in any location inside the law
3 enforcement agency or within the curtilage of the law enforcement
4 agency that records audio and video data of the law enforcement-
5 related encounters or activities of the law enforcement agency and
6 its employees;

7 3. "Law enforcement agency" means any department or agency of
8 the state, a county, a municipality, or political subdivision
9 thereof, with the duties to maintain public order, make arrests, and
10 enforce the criminal laws of this state or municipal ordinances,
11 which employs CLEET-certified personnel;

12 4. "Peace officer" has the same meaning as such term is defined
13 in Section 99 of Title 21 of the Oklahoma Statutes; and

14 5. "Vehicle mounted camera" means an electronic recording
15 device that is mounted within a vehicle that records audio and video
16 data of the law enforcement-related encounters and activities of the
17 peace officer.

18 B. A law enforcement agency that utilizes fixed security
19 cameras, vehicle mounted cameras, or body cameras shall establish
20 policies and procedures addressing the proper use, maintenance, and
21 storage of the various cameras and the data recorded by the cameras.
22 The policies and procedures shall include:
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1 1. General guidelines for the proper use, maintenance, and
2 storage of fixed security cameras, vehicle mounted cameras, and body
3 cameras;

4 2. General guidelines for the proper storage and retention of
5 audio and video data recorded by fixed security cameras, vehicle
6 mounted cameras, and body cameras;

7 3. A policy permitting a peace officer using a fixed security
8 camera, vehicle mounted camera, or body camera to review the
9 recorded footage from the camera, upon his or her own initiative or
10 request, before writing a report or providing a statement regarding
11 any event arising within the scope of his or her official duties.
12 Such policy permitting review of recorded footage by a peace officer
13 shall not be used to delay or deny records requests or public access
14 to recorded footage from such cameras. Any such policy shall not
15 apply to the inherent duty of a peace officer to immediately
16 disclose information necessary to secure an active crime scene or to
17 identify suspects or witnesses; and

18 4. Policies for the proper release of audio and video data
19 recorded by fixed security cameras, vehicle mounted cameras, and
20 body cameras in compliance with the Oklahoma Open Records Act.

21 C. A law enforcement agency that permits its peace officers to
22 utilize vehicle mounted cameras or wear body cameras shall:

23 1. Ensure that all personnel who wear, use, maintain or store
24 vehicle mounted cameras, or body cameras, or release audio or video

1 data recorded by vehicle mounted cameras or body cameras are trained
2 in the policies and procedures of the law enforcement agency;

3 2. Retain audio and video data recorded by vehicle mounted
4 cameras or body cameras in accordance with the requirements of the
5 Oklahoma Open Records Act; and

6 3. Perform periodic reviews of vehicle mounted cameras or body
7 camera practices to ensure conformity with the policies and
8 procedures of the law enforcement agency.

9 SECTION 2. This act shall become effective November 1, 2024.

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11 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
12 02/29/2024 - DO PASS, As Amended.