

## SENATE BILL No. 122

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-8-2-14.

**Synopsis:** Operation of dashboard cameras. Requires a state or local government law enforcement agency that installs audiovisual recording systems in the agency's patrol cars to adopt a policy regarding the use of the recording system. Provides that the policy must: (1) require all traffic stops to be recorded; (2) establish a procedure to follow if the recording system malfunctions; and (3) require a law enforcement officer to document the reason why a traffic stop was not recorded or was not recorded in its entirety.

**Effective:** July 1, 2016.

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## Randolph Lonnie M

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January 5, 2016, read first time and referred to Committee on Homeland Security & Transportation.

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Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

# SENATE BILL No. 122

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 36-8-2-14 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2016]: **Sec. 14. (a) As used in this section, "law enforcement**
- 4 **agency" means the following:**
- 5 (1) **The state police department.**
- 6 (2) **The county sheriff's department.**
- 7 (3) **A city police department.**
- 8 (4) **A town police department.**
- 9 (5) **A town marshal system.**
- 10 (b) **As used in this section, "recording system" means a camera**
- 11 **or other device installed in the patrol car of a law enforcement**
- 12 **agency that records audio and video for retention and playback.**
- 13 (c) **If a law enforcement agency installs a recording system in a**
- 14 **patrol car, the law enforcement agency must adopt a policy**
- 15 **regarding the use of the recording system that, at a minimum,**
- 16 **meets the requirements of this section.**
- 17 (d) **The policy shall require a recording system to be activated**



1 and recording activities outside a patrol car whenever a law  
2 enforcement officer conducts a traffic stop. Recording of the traffic  
3 stop shall begin not later than when:

- 4 (1) the officer determines a traffic stop is necessary; or  
5 (2) the patrol car's emergency lights are activated.

6 (e) The policy shall require the recording of a traffic stop to  
7 continue until not earlier than when:

- 8 (1) the traffic stop has been completed; and  
9 (2) the subject of the traffic stop or the law enforcement  
10 officer has left the scene.

11 (f) Notwithstanding subsection (d), the policy shall provide that  
12 if an immediate threat to the law enforcement officer's life or  
13 safety makes activating the recording system impossible or  
14 dangerous, the officer shall activate the recording system at the  
15 first reasonable opportunity to do so.

16 (g) The policy shall include the following:

17 (1) The policy must establish a procedure to be followed if a  
18 recording system malfunctions. The policy must require a law  
19 enforcement officer who operates, inspects, or maintains a  
20 patrol car to immediately document and notify the officer's  
21 supervisor of any known or found technical difficulties,  
22 failures, or problems with the recording system.

23 (2) The policy must require a law enforcement officer to  
24 document or record the reason why any traffic stop was not  
25 recorded, or was not recorded in its entirety, in accordance  
26 with this section.

