

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2916

By: Goodwin

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6 AS INTRODUCED

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

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

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

17 A. Beginning November 1, 2021, every law enforcement agency in
18 this state that supplies its officers with audio or audiovisual
19 recording equipment shall be required to have its officers use the
20 audio or audiovisual recording equipment at all times when
21 responding to a call for service or at the initiation of any other
22 law enforcement or investigative encounter between officers and
23 members of the public.
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1 B. Except as required by federal or state law or authorized by
2 a policy of the law enforcement agency, no officer of a law
3 enforcement agency in this state shall edit, redact, erase, copy or
4 otherwise alter or distribute in any manner an audio or audiovisual
5 recording made by the audio or audiovisual recording equipment or
6 the data from such recording.

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

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

16 SECTION 2. This act shall become effective November 1, 2021.

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18 58-1-5081 GRS 11/13/20

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