

The executive office of public safety and security, in collaboration with the executive office of technology services and security, shall establish a 25-member law enforcement body camera task force. The task force shall propose regulations establishing a uniform code for the procurement and use of body-worn cameras by law enforcement officers to provide consistency throughout the commonwealth. The task force shall propose minimum requirements for the storage and transfer of audio and video recordings collected by body-worn cameras. The task force shall conduct not fewer than 5 public hearings in various parts of the commonwealth to hear testimony and comments from the public.

All members of the task force shall serve without compensation.

The executive agencies convening the task force shall assign administrative personnel to assist the work of the task force.

The task force shall meet not less than 12 times.

In addition to taking public testimony, the task force shall seek the advice of experts specializing in the fields of criminology, education, criminal or family law or other related fields, as appropriate.

On or before July 31, 2022, the task force shall, by majority vote, adopt recommended regulations for law enforcement agencies.

The regulations recommended by the task force shall include, but not be limited to:

- (i) standards for the procurement of body-worn cameras and vehicle dashboard cameras by law enforcement agencies, including a requirement that such cameras or associated processing software include technology for redacting the images and voices of victims and bystanders;
- (ii) standards regarding the use of facial recognition or other biometric-matching software or other technology to analyze recordings obtained through the use of such cameras; provided, however, that such standards may prohibit or allow such use subject to requirements based on best practices and protocols;
- (iii) standards for training law enforcement officers in the basic use of such cameras;
- (iv) standards for:
  - (A) the types of law enforcement encounters and interactions that shall be recorded and what notice, if any, shall be given to those being recorded; and
  - (B) when a camera should be activated and when to discontinue recording;
- (v) a requirement that a camera be equipped with pre-event recording, capable of recording at least the 30 seconds prior to camera activation;
- (vi) a requirement preventing an officer from accessing or viewing any recording of an incident involving the officer before the officer is required to make a statement about the incident;
- (vii) standards for the identification, retention, storage, maintenance and handling of recordings from body cameras, including a requirement that recordings be retained for not less than 180 days but not more than 30 months for a recording not relating to a court proceeding or ongoing criminal investigation or for the same period of time that evidence is retained in the normal course of the court's business for a recording related to a court proceeding;
- (viii) standards pertaining to the recordings of use of force, detention or arrest by a law enforcement officer or pertaining to ongoing investigations and prosecutions to assure that recordings are retained for a period sufficient to meet the needs of all parties with an interest in the recordings;
- (ix) standards for the security of facilities in which recordings are kept;
- (x) requirements for state procurement of contracts for body-worn cameras and for data storage through which qualified law enforcement agencies may purchase goods and services;

- (xi) best practice language for contracts with third party vendors for data storage, which shall provide that recordings from such cameras are the property of the law enforcement agency, are not owned by the vendor and cannot be used by the vendor for any purpose inconsistent with the policies and procedures of the law enforcement agency;
- (xii) procedures for supervisory internal review and audit;
- (xiii) sanctions for improper use of cameras, including a requirement that a law enforcement officer who does not activate a body-worn camera in response to a call for assistance shall include that fact in their incident report and note in the case file or record the reason for not activating the camera;
- (xiv) sanctions for tampering with a camera or recordings and for improper destruction of recordings;
- (xv) regulations pertaining to handling requests for the release of information recorded by a body-worn camera to the public;
- (xvi) requirements for reporting by law enforcement agencies utilizing body-worn cameras;
- (xvii) a retention schedule for recordings to ensure that storage policies and practices are in compliance with all relevant laws and adequately preserve evidentiary chains of custody and identify potential discovery issues; and
- (xviii) a process by which body camera footage may be included in a public record.

Not later than July 31, 2021, the task force shall file an interim report on its work product, including its proposed regulations under subsection (e) and any proposed legislation that is necessary to effectuate the regulations with the clerks of the house of representatives and the senate and the joint committee on public safety and homeland security.