

114TH CONGRESS
1ST SESSION

S. _____

To establish a pilot grant program to assist State and local law enforcement agencies in purchasing body-worn cameras for law enforcement officers.

IN THE SENATE OF THE UNITED STATES

Mr. SCHATZ (for himself and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish a pilot grant program to assist State and local law enforcement agencies in purchasing body-worn cameras for law enforcement officers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Police Creating Ac-
5 countability by Making Effective Recording Available Act
6 of 2015” or the “Police CAMERA Act”.

1 **SEC. 2. MATCHING GRANT PROGRAM FOR LAW ENFORCE-**
2 **MENT BODY-WORN CAMERAS.**

3 Title I of the Omnibus Crime Control and Safe
4 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
5 by adding at the end the following:

6 **“PART XII—MATCHING GRANT PROGRAM FOR**
7 **LAW ENFORCEMENT BODY-WORN CAMERAS**
8 **“SEC. 3021. GRANT PROGRAM AUTHORIZED.**

9 “(a) IN GENERAL.—The Director of the Office of
10 Community Oriented Policing Services (in this section re-
11 ferred to as the ‘Director’) may make grants to States,
12 units of local government, and Indian tribes to purchase
13 or lease body-worn cameras for use by State, local, and
14 tribal law enforcement officers (as defined in section
15 2503) and expenses related to the implementation of a
16 body-worn camera program in order to deter excessive
17 force, improve accountability and transparency of use of
18 force by law enforcement officers, assist in responding to
19 complaints against law enforcement officers, and improve
20 evidence collection.

21 “(b) DURATION OF GRANTS.—

22 “(1) IN GENERAL.—Grants awarded under this
23 part shall be 2 years in duration.

24 “(2) DISBURSEMENT OF GRANT AMOUNT.—In
25 disbursing a grant awarded to an entity under this
26 section—

1 “(A) upon awarding the grant to the enti-
2 ty, the Director shall disburse 50 percent of the
3 total grant amount to the entity; and

4 “(B) upon demonstration by the entity of
5 completion of the requirements in subsection
6 (d)(1), the Director shall disburse the remain-
7 ing 50 percent of the total grant amount to the
8 entity.

9 “(c) USE OF FUNDS.—Grants awarded under this
10 section shall be—

11 “(1) distributed directly to the State, unit of
12 local government, or Indian tribe; and

13 “(2) used for—

14 “(A) the purchase or lease of body-worn
15 cameras for law enforcement officers on patrol
16 in the jurisdiction of the grantee;

17 “(B) any costs relating to the implementa-
18 tion of a body-worn camera program, including
19 law enforcement officer training or the storage
20 or maintenance of data collected under a body-
21 worn camera program; or

22 “(C) implementing policies or procedures
23 to comply with the requirements described in
24 subsection (d).

25 “(d) REQUIREMENTS.—

1 “(1) IN GENERAL.—The Director shall award a
2 grant under this section to a State, unit of local gov-
3 ernment, or Indian tribe requesting the grant that
4 commits to—

5 “(A) establishing policies and procedures
6 in accordance with the requirements described
7 in paragraph (2) before law enforcement offi-
8 cers use of body-worn cameras;

9 “(B) adopting data collection and retention
10 protocols as described in paragraph (3) before
11 law enforcement officers use of body-worn cam-
12 eras;

13 “(C) making the policies and protocols de-
14 scribed in subparagraphs (A) and (B) available
15 to the public; and

16 “(D) complying with the requirements for
17 use of data under paragraph (4).

18 “(2) REQUIRED POLICIES AND PROCEDURES.—
19 An entity receiving a grant under this section
20 shall—

21 “(A) develop with community input and
22 publish for public view policies and protocols
23 for—

24 “(i) the safe and effective use of body-
25 worn cameras;

1 “(ii) the secure storage, handling, and
2 destruction of data collected by body-worn
3 cameras;

4 “(iii) protecting the privacy rights of
5 any individual who may be recorded by a
6 body-worn camera; and

7 “(iv) the release of any data collected
8 by a body-worn camera in accordance with
9 the open records laws, if any, of the State;

10 “(B) conduct periodic evaluations of the
11 security of the storage and handling of the
12 body-worn camera data.

13 “(3) DATA COLLECTION AND RETENTION PRO-
14 TOCOL.—The data collection and retention protocol
15 described in this paragraph is a protocol that—

16 “(A) requires—

17 “(i) a law enforcement officer who is
18 wearing a body-mounted camera to provide
19 an explanation if an activity that is re-
20 quired to be recorded by the body-mounted
21 camera is not recorded;

22 “(ii) a law enforcement officer who is
23 wearing a body-mounted camera to obtain
24 consent to be recorded from a crime victim

1 or witness before interviewing the victim or
2 witness;

3 “(iii) the collection of data unrelated
4 to a legitimate law enforcement purpose be
5 minimized to the greatest extent prac-
6 ticable;

7 “(iv) the system used to store data
8 collected by body-worn cameras shall log
9 all viewing, modification, or deletion of
10 stored data and shall prevent, to the great-
11 est extent practicable, the unauthorized ac-
12 cess or disclosure of stored data;

13 “(v) any law enforcement officer be
14 prohibited from accessing the stored data
15 without an authorized purpose; and

16 “(vi) the law enforcement agency to
17 collect and report data on—

18 “(I) incidences of use of force,
19 disaggregated by race, ethnicity, gen-
20 der, and age of the victim;

21 “(II) the number of complaints
22 filed against law enforcement officers;

23 “(III) the disposition of com-
24 plaints filed against law enforcement
25 officers; and

1 “(IV) the number of times cam-
2 era footage is used for evidence collec-
3 tion in investigations of crimes;

4 “(B) allows an individual to file a com-
5 plaint with a law enforcement agency relating
6 to the improper use of body-worn cameras; and

7 “(C) complies with any other requirements
8 established by the Director.

9 “(4) USE OR TRANSFER OF DATA.—

10 “(A) IN GENERAL.—Data collected by an
11 entity receiving a grant under this section from
12 a body-mounted camera shall be used only in
13 internal and external investigations of mis-
14 conduct by a law enforcement agency or officer,
15 if there is reasonable suspicion that a recording
16 contains evidence of a crime, or for limited
17 training purposes. The Director shall establish
18 rules to ensure that the data is used only for
19 the purposes described in this subparagraph.

20 “(B) PROHIBITION ON TRANSFER.—Ex-
21 cept as provided in subparagraph (B), an entity
22 receiving a grant under this section may not
23 transfer any data collected by the entity from
24 a body-mounted camera to another law enforce-
25 ment or intelligence agency.

1 “(C) EXCEPTIONS.—

2 “(i) CRIMINAL INVESTIGATION.—An
3 entity receiving a grant under this section
4 may transfer data collected by the entity
5 from a body-mounted camera to another
6 law enforcement agency or intelligence
7 agency for use in a criminal investigation
8 if the requesting law enforcement or intel-
9 ligence agency has reasonable suspicion
10 that the requested data contains evidence
11 relating to the crime being investigated.

12 “(ii) CIVIL RIGHTS CLAIMS.—An enti-
13 ty receiving a grant under this section may
14 transfer data collected by the law enforce-
15 ment agency from a body-mounted camera
16 to another law enforcement agency for use
17 in an investigation of any right, privilege,
18 or immunity secured or protected by the
19 Constitution or laws of the United States.

20 “(e) MATCHING FUNDS.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (3), the Federal share of the cost of a pro-
23 gram carried out using a grant under this part may
24 not exceed 75 percent of the total cost of the pro-
25 gram.

1 “(2) INDIAN ASSISTANCE.—Any funds appro-
2 priated by Congress for the activities of any agency
3 of an Indian tribal government or the Bureau of In-
4 dian Affairs performing law enforcement functions
5 on any Indian lands may be used to provide the non-
6 Federal share of the matching requirement described
7 in paragraph (1).

8 “(3) WAIVER.—The Director may waive, in
9 whole or in part, the matching requirement de-
10 scribed in paragraph (1) in the case of fiscal hard-
11 ship, as determined by the Director.

12 “(f) ALLOCATION OF FUNDS.—For fiscal years 2015
13 and 2016, of the amounts appropriated to the Office of
14 Community Policing Services, \$10,000,000 shall be used
15 to carry out this part.

16 **“SEC. 3022. APPLICATIONS.**

17 “(a) IN GENERAL.—To request a grant under this
18 part, the chief executive of a State, unit of local govern-
19 ment, or Indian tribe shall submit an application to the
20 Director in such form and containing such information as
21 the Director may reasonably require.

22 “(b) REGULATIONS.—Not later than 90 days after
23 the date of the enactment of this part, the Director shall
24 promulgate regulations to implement this part, including
25 the information that shall be included and the require-

1 ments that the States, units of local government, and In-
2 dian tribes must meet in submitting the applications re-
3 quired under this section.

4 **“SEC. 3023. STUDY.**

5 “(a) IN GENERAL.—Not later than 2 years after the
6 date on which all grants are awarded under this part, the
7 Director shall conduct a study on—

8 “(1) the efficacy of body-worn cameras in deter-
9 ring excessive force by law enforcement officers;

10 “(2) the impact of body-worn cameras on the
11 accountability and transparency of the use of force
12 by law enforcement officers;

13 “(3) the impact of body-worn cameras on re-
14 sponses to and adjudications of complaints of exces-
15 sive force;

16 “(4) the effect of the use of body-worn cameras
17 on the safety of law enforcement officers on patrol;

18 “(5) the effect of the use of body-worn cameras
19 on public safety;

20 “(6) the impact of body-worn cameras on evi-
21 dence collection for criminal investigations;

22 “(7) issues relating to the secure storage and
23 handling of data from the body-worn cameras;

24 “(8) issues relating to the privacy of citizens
25 and officers recorded on body-worn cameras;

1 “(9) issues relating to the public’s access to
2 body-worn camera footage;

3 “(10) the need for proper training of law en-
4 forcement officers that use body-worn cameras;

5 “(11) best practices in the development of pro-
6 tocols for the safe and effective use of body-worn
7 cameras; and

8 “(12) any other factors that the Director deter-
9 mines are relevant in evaluating the efficacy of body-
10 worn cameras.

11 “(b) REPORT.—Not later than 180 days after the
12 date on which the study required under subsection (a) is
13 completed, the Director shall submit to Congress a report
14 on the study.”.