

STATEMENT TO  
[First Reprint]  
**ASSEMBLY, No. 5864**

with Senate Floor Amendments  
(Proposed by Senator GOPAL)

ADOPTED: JUNE 24, 2021

Assembly Bill No. 5864 (1R) allows law enforcement officers to review body worn camera recordings prior to creating an initial report, with certain exceptions.

These Senate amendments provide that the term “law enforcement officer” does not include a correctional police officer. Additionally, the amendments specify that, prior to creating an initial report, a law enforcement officer only would be permitted to review body worn camera recordings of a routine police stop or house call. The amendments also provide that a law enforcement officer would not be permitted to review a body worn camera recording prior to creating an initial report if the recording contains images involving: (1) the use of any police force; or (2) an incident that is the subject of an internal affairs complaint relating to the use of force, bias, or dishonesty. The amendments further clarify that a law enforcement officer is not required to review a body worn camera recording prior to creating any required initial reports, statements, and interviews regarding the recorded event.

The amendments also provide that a person who is the subject of a report created by a law enforcement officer, for which a relevant body worn camera recording exists, would be permitted to review and receive an accounting of the recording, if the law enforcement officer who created the report also was permitted to review and receive an accounting of the recording pursuant to the provisions of the amended bill.