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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1835

03/01/2017 Authored by Cornish
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; permitting a peace officer to review body camera
1.3 recordings prior to submission of a written report or formal statement on an
1.4 investigation; amending Minnesota Statutes 2016, section 13.825, subdivision 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 13.825, subdivision 4, is amended to read:

1.7 Subd. 4. Access by data subjects. (a) For purposes of this chapter, a portable recording
1.8 system data subject includes the peace officer who collected the data, and any other individual
1.9 or entity, including any other peace officer, regardless of whether the officer is or can be
1.10 identified by the recording, whose image or voice is documented in the data.

1.11 (b) An individual who is the subject of portable recording system data has access to the
1.12 data, including data on other individuals who are the subject of the recording. If the individual
1.13 requests a copy of the recording, data on other individuals who do not consent to its release
1.14 must be redacted from the copy. The identity and activities of an on-duty peace officer
1.15 engaged in an investigation or response to an emergency, incident, or request for service
1.16 may not be redacted, unless the officer's identity is subject to protection under section 13.82,
1.17 subdivision 17, clause (a).

1.18 (c) Notwithstanding paragraph (b), a peace officer involved in an investigation or response
1.19 to an incident must be permitted to review any portable recording system data that documents
1.20 the investigation or incident response, unrestricted and in its original form, prior to the
1.21 officer's submission of a written report or formal statement on the investigation or response.