

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF PUBLIC SAFETY

Title of Rule: Rules and Regulations Establishing Statewide Policy for the Use and Operation of Body-Worn Cameras

Rule Identifier: 270-RICR-60-00-2

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: September 12, 2024

End of Public Comment: October 14, 2024

Rulemaking Authority:

R.I. Gen. Laws § 42-161-4

Summary of Rulemaking Action:

The current rules and regulations are being amended as part of the agency's annual policy review to ensure the rules and regulations remain consistent with state law, societal developments and feedback from municipal and state law enforcement agencies. The proposed amendments are primarily cleanup in nature with nothing substantive being proposed. For example, the agency has updated the language in the rules and regulations to reflect the practice that video footage is not deleted, but instead restricted, in varying circumstances. The amendments also updated the "activation required" section to more clearly state BWC cameras are required to be on for any service involving a member of the public. Lastly, the proposed amendments changed some references from BWCs to BWC equipment and broadened the type of reports that must document the existence of BWC.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until October 14, 2024 by contacting the appropriate party at the address listed below:

Corporal Melissa Rand
Department of Public Safety
Division of State Police
311 Danielson Pike
North Scituate, RI 02857
melissa.rand@risp.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

R.I. Gen. Laws § 42-161-4 requires the Department of Public Safety and the Office of Attorney General to promulgate rules for the use and operation of BWC. Pursuant to the promulgated policy, on an annual basis, the stakeholders are required to review the policy. The proposed amendments are the result of this annual review. The amendments are reflective of feedback received from multiple law enforcement agencies. In the development of the proposed amendment, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information. Amending these regulations will not add any financial cost to the agency or the public at large and the societal benefits of updating rules and regulations far outweighs any concern to the contrary.

For full regulatory analysis or supporting documentation contact the agency staff person listed above.