



Senate

General Assembly

File No. 77

January Session, 2025

Senate Bill No. 973

Senate, March 12, 2025

The Committee on Government Oversight reported through SEN. GADKAR-WILCOX of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PERMITTING REDACTION FEES FOR THE DISCLOSURE OF RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT OR DASHBOARD CAMERAS UNDER THE FREEDOM OF INFORMATION ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-6d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) For purposes of this section, [and] section 2 of this act and section
4 7-277b:

5 (1) "Law enforcement unit" has the same meaning as provided in
6 section 7-294a;

7 (2) "Police officer" means a sworn member of a law enforcement unit
8 or any member of a law enforcement unit who performs police duties;

9 (3) "Body-worn recording equipment" means an electronic recording
10 device that is capable of recording audio and video;

11 (4) "Dashboard camera" means a dashboard camera with a remote
12 recorder, as defined in section 7-277b;

13 (5) "Digital data storage device or service" means a device or service
14 that retains the data from the recordings made by body-worn recording
15 equipment using computer data storage; [and]

16 (6) "Police patrol vehicle" means any state or local police vehicle other
17 than an administrative vehicle in which an occupant is wearing body-
18 worn camera equipment, a bicycle, a motor scooter, an all-terrain
19 vehicle, an electric personal assistive mobility device, as defined in
20 subsection (a) of section 14-289h, or an animal control vehicle;

21 (7) "Freedom of Information Act" has the same meaning as provided
22 in section 1-200;

23 (8) "Requesting party" means the person requesting a record created
24 using body-worn recording equipment or a dashboard camera pursuant
25 to the Freedom of Information Act;

26 (9) "Involved person" means (A) any individual depicted in the
27 record created using body-worn recording equipment or a dashboard
28 camera, (B) any individual directly involved in the incident that led to
29 the police officer being called to respond, or (C) any police officer
30 responding to such incident, including the police officer whose body-
31 worn recording equipment or dashboard camera created the record; and

32 (10) "Redact" means to obscure, pixelate or mute any portion of a
33 record created using body-worn recording equipment or a dashboard
34 camera.

35 (b) The Commissioner of Emergency Services and Public Protection
36 and the Police Officer Standards and Training Council shall jointly
37 evaluate and approve the minimal technical specifications of body-worn
38 recording equipment that shall be worn by police officers pursuant to
39 this section, dashboard cameras that shall be used in each police patrol
40 vehicle and digital data storage devices or services that shall be used by
41 a law enforcement unit to retain the data from the recordings made by

42 such equipment. The commissioner and council shall make such
43 minimal technical specifications available to each law enforcement unit
44 in a manner determined by the commissioner and council. The
45 commissioner and council may revise the minimal technical
46 specifications when the commissioner and council determine that
47 revisions to such specifications are necessary.

48 (c) (1) Each police officer shall use body-worn recording equipment
49 while interacting with the public in such sworn member's law
50 enforcement capacity, except as provided in subsection (g) of this
51 section, or in the case of a municipal police department, in accordance
52 with the department's policy adopted by the department and based on
53 guidelines maintained pursuant to subsection (j) of this section,
54 concerning the use of body-worn recording equipment.

55 (2) Each police officer shall wear body-worn recording equipment on
56 such officer's outer-most garment and shall position such equipment
57 above the midline of such officer's torso when using such equipment.

58 (3) Body-worn recording equipment used pursuant to this section
59 shall conform to the minimal technical specifications approved
60 pursuant to subsection (b) of this section, except that a police officer may
61 use body-worn recording equipment that does not conform to the
62 minimal technical specifications approved pursuant to subsection (b) of
63 this section, if such equipment was purchased prior to January 1, 2016,
64 by the law enforcement unit employing such officer.

65 (4) Each law enforcement unit shall require usage of a dashboard
66 camera in each police patrol vehicle used by any police officer employed
67 by such unit in accordance with the unit's policy adopted by the unit
68 and based on guidelines maintained pursuant to subsection (j) of this
69 section, concerning dashboard cameras.

70 (d) Except as required by state or federal law, no person employed by
71 a law enforcement unit shall edit, erase, copy, share or otherwise alter
72 or distribute in any manner any recording made by body-worn
73 recording equipment or a dashboard camera or the data from such

74 recording.

75 (e) A police officer may review a recording from his or her body-worn
76 recording equipment or a dashboard camera in order to assist such
77 officer with the preparation of a report or otherwise in the performance
78 of his or her duties.

79 (f) (1) If a police officer is giving a formal statement about the use of
80 force or if a police officer is the subject of a disciplinary investigation in
81 which a recording from body-worn recording equipment or a
82 dashboard camera is being considered as part of a review of an incident,
83 the officer shall have the right to review (A) such recording in the
84 presence of the officer's attorney or labor representative, and (B)
85 recordings from other body-worn recording equipment capturing the
86 officer's image or voice during the incident. Not later than forty-eight
87 hours following an officer's review of a recording under subparagraph
88 (A) of this subdivision, or if the officer does not review the recording,
89 not later than ninety-six hours following the initiation of such
90 disciplinary investigation, whichever is earlier, such recording shall be
91 disclosed, upon request, to the public, subject to the provisions of
92 subsection (g) of this section. Public disclosure may be delayed if the
93 officer, due to a medical or physical response or an acute psychological
94 stress response to the incident, is not reasonably able to review a
95 recording under this subdivision, but in no event shall disclosure be
96 delayed more than one hundred forty-four hours following the
97 recorded event.

98 (2) If a request is made for public disclosure of a recording from body-
99 worn recording equipment or a dashboard camera of an incident about
100 which (A) a police officer has not been asked to give a formal statement
101 about the alleged use of force, or (B) a disciplinary investigation has not
102 been initiated, any police officer whose image or voice is captured on
103 the recording shall have the right to review such recording in the
104 presence of the officer's attorney or labor representative. Not later than
105 forty-eight hours following an officer's review of a recording under this
106 subdivision, or if the officer does not review the recording, not later than

107 ninety-six hours following the request for disclosure, whichever is
108 earlier, such recording shall be disclosed to the public, subject to the
109 provisions of subsection (g) of this section. Public disclosure may be
110 delayed if the officer, due to a medical or physical response or an acute
111 psychological stress response to the incident, is not reasonably able to
112 review a recording under this subdivision, but in no event shall
113 disclosure be delayed more than one hundred forty-four hours
114 following the recorded event.

115 (g) (1) Except as otherwise provided by any agreement between a law
116 enforcement unit and the federal government, no police officer shall use
117 body-worn recording equipment or a dashboard camera, if applicable,
118 to intentionally record (A) a communication with other law enforcement
119 unit personnel, except that which may be recorded as the officer
120 performs his or her duties, (B) an encounter with an undercover officer
121 or informant or an officer performing detective work described in
122 guidelines developed pursuant to subsection (j) of this section, (C) when
123 an officer is on break or is otherwise engaged in a personal activity, (D)
124 a person undergoing a medical or psychological evaluation, procedure
125 or treatment, (E) any person other than a suspect to a crime if an officer
126 is wearing such equipment in a hospital or other medical facility setting,
127 or (F) in a mental health facility, unless responding to a call involving a
128 suspect to a crime who is thought to be present in the facility.

129 (2) No record created using body-worn recording equipment or a
130 dashboard camera of (A) an occurrence or situation described in
131 subparagraphs (A) to (F), inclusive, of subdivision (1) of this subsection,
132 (B) a scene of an incident that involves (i) a victim of domestic or sexual
133 abuse, (ii) a victim of homicide or suicide, or (iii) a deceased victim of an
134 accident, if disclosure could reasonably be expected to constitute an
135 unwarranted invasion of personal privacy in the case of any such victim
136 described in this subparagraph, or (C) a minor, shall be subject to
137 disclosure under the Freedom of Information Act, [as defined in section
138 1-200,] and any such record shall be confidential and redacted in
139 accordance with section 2 of this act, except that (i) a record of an
140 involved person or the requesting party undergoing a medical or

141 psychological evaluation, procedure or treatment shall be disclosed to
142 such involved person or the requesting party, and (ii) a record of a minor
143 shall be disclosed if [(i)] (I) the minor and the parent or guardian of such
144 minor consent to the disclosure of such record, [(ii)] or, if the minor is
145 an involved person, the minor's parent or guardian is the requesting
146 party or an involved person, (II) a police officer is the subject of an
147 allegation of misconduct made by such minor or the parent or guardian
148 of such minor, and the person representing such officer in an
149 investigation of such alleged misconduct requests disclosure of such
150 record for the sole purpose of preparing a defense to such allegation, or
151 [(iii)] (III) a person is charged with a crime and defense counsel for such
152 person requests disclosure of such record for the sole purpose of
153 assisting in such person's defense and the discovery of such record as
154 evidence is otherwise discoverable.

155 (h) No police officer shall use body-worn recording equipment prior
156 to being trained in accordance with section 7-294s in the use of such
157 equipment and in the retention of data created by such equipment. A
158 law enforcement unit shall ensure that each police officer such unit
159 employs receives such training at least annually and is trained on the
160 proper care and maintenance of such equipment.

161 (i) If a police officer is aware that any body-worn recording
162 equipment or dashboard camera is lost, damaged or malfunctioning,
163 such officer shall inform such officer's supervisor in writing as soon as
164 is practicable. Upon receiving such information, the supervisor shall
165 ensure that the body-worn recording equipment or dashboard camera
166 is inspected and repaired or replaced, as necessary. Each police officer
167 shall inspect and test body-worn recording equipment prior to each shift
168 to verify proper functioning, and shall notify such officer's supervisor
169 of any problems with such equipment.

170 (j) The Commissioner of Emergency Services and Public Protection
171 and the Police Officer Standards and Training Council shall jointly
172 maintain guidelines pertaining to the use of body-worn recording
173 equipment and dashboard cameras, including the type of detective

174 work an officer might engage in that should not be recorded, retention
175 of data created by such equipment and dashboard cameras and methods
176 for safe and secure storage of such data. On and after October 1, 2024,
177 such guidelines shall contain provisions concerning under which
178 circumstances an officer shall not pause recording on such equipment.
179 The guidelines shall not require a law enforcement unit to store such
180 data for a period longer than one year, except in the case where the unit
181 knows the data is pertinent to any ongoing civil, criminal or
182 administrative matter. Each law enforcement unit and any police officer
183 and any other employee of such unit who may have access to such data
184 shall adhere to such guidelines. The commissioner and council may
185 update and reissue such guidelines, as the commissioner and council
186 determine necessary. The commissioner and council shall, upon
187 issuance of such guidelines or any update to such guidelines, submit
188 such guidelines in accordance with the provisions of section 11-4a to the
189 joint standing committees of the General Assembly having cognizance
190 of matters relating to the judiciary and public safety.

191 (k) (1) Not later than October 1, 2023, the Police Officer Standards and
192 Training Council, in consultation with the Institute for Municipal and
193 Regional Policy at The University of Connecticut, shall prescribe a form
194 to be used by law enforcement units to report each unit's compliance
195 with the provisions of subsection (c) of this section. Such form shall
196 require the compilation of information including, but not limited to, (A)
197 the number of body-worn recording devices in operation in a law
198 enforcement unit, (B) the number of dashboard cameras in operation in
199 a law enforcement unit, (C) the number of police patrol vehicles not
200 equipped with a dashboard camera in a law enforcement unit and the
201 reasons such vehicles are not so equipped, (D) information regarding
202 any incidents in which a police officer of a law enforcement unit was
203 found in an internal investigation conducted by such unit to have
204 violated such unit's policy regarding the use of body-worn recording
205 equipment or dashboard cameras, and (E) any other information
206 deemed necessary.

207 (2) Not later than January 1, 2024, and annually thereafter, each law

208 enforcement unit shall submit a report on the form prescribed pursuant
209 to subdivision (1) of this subsection concerning the unit's compliance
210 with the provisions of subsection (c) of this section to the Institute for
211 Municipal and Regional Policy at The University of Connecticut. The
212 institute shall post such reports on the institute's Internet web site.

213 (3) Not later than July 1, 2024, and annually thereafter, the Institute
214 for Municipal and Regional Policy at The University of Connecticut
215 shall, within available appropriations, review the reports submitted
216 pursuant to subdivision (2) of this subsection, and report the results of
217 such review and any recommendations as a result of such review to the
218 Governor, the Police Officer Standards and Training Council, the
219 Criminal Justice Policy and Planning Division within the Office of Policy
220 and Management and, in accordance with the provisions of section 11-
221 4a, the joint standing committees of the General Assembly having
222 cognizance of matters relating to the judiciary and public safety and
223 security.

224 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) Except as provided in
225 subsections (b) and (c) of this section, any public agency, as defined in
226 section 1-200 of the general statutes, that maintains a copy of a record
227 created using body-worn recording equipment or a dashboard camera
228 pursuant to section 29-6d of the general statutes, as amended by this act,
229 may charge the requesting party a redaction fee for any such record that
230 requires redaction in accordance with the provisions of this section.
231 Such fee shall compensate the public agency for the time spent redacting
232 any portion of the requested record as required or authorized by state
233 or federal law, including, but not limited to, the provisions of subsection
234 (g) of section 29-6d of the general statutes, as amended by this act. Such
235 fee shall be calculated as follows:

236 (1) The public agency shall not charge the requesting party for the
237 time spent searching for the applicable record that is responsive to the
238 request.

239 (2) The first four hours of labor costs incurred by the public agency in
240 redacting the requested record shall not be charged to the requesting

241 party.

242 (3) Except as provided in subsection (c) of this section, any additional
243 labor costs associated with any time necessary to redact the requested
244 record beyond the time set forth in subdivision (2) of this subsection
245 may be charged to the requesting party at a rate not to exceed the hourly
246 wage of the lowest-paid employee with the requisite training for
247 redacting the responsive record. For purposes of this subdivision, the
248 hourly wage of an employee shall be based upon the employee's base
249 salary and shall not include benefits. The responding agency shall not
250 charge the requesting party for the services of any attorney hired by the
251 responding agency to conduct a second review of the requested record
252 or any company providing digital management services to the
253 responding agency.

254 (4) Any fee charged to a requesting party under this subsection shall
255 not exceed one hundred dollars per hour of the actual length of time of
256 the record requested. In calculating the fee under this subsection, the
257 public agency may round up the actual length of time of the record
258 requested to the nearest half hour at a rate of fifty dollars per half hour.

259 (5) If the amount to be charged to the requesting party in accordance
260 with subdivision (3) of this subsection is estimated to exceed two
261 hundred fifty dollars, the public agency shall inform the requesting
262 party of the estimated fee and may require prepayment of such fee prior
263 to redacting the requested record. If the amount of prepaid fees exceeds
264 the actual labor costs incurred by the public agency in redacting the
265 requested record, the public agency shall reimburse the requesting
266 party for any difference between the prepaid amount and actual cost.

267 (b) The public agency shall waive any fee authorized under this
268 section if required under subsection (d) of section 1-212 of the general
269 statutes.

270 (c) (1) A public agency shall not charge a fee to any requesting party
271 who is (A) an involved person in the record requested, (B) the parent or
272 legal guardian of an involved person, or (C) an attorney representing an

273 involved person in any civil, criminal or administrative matter.

274 (2) A public agency shall not charge a fee to any other requesting
275 party if (A) the record depicts a police officer involved in a shooting, a
276 police officer involved in a motor vehicle accident or a police officer
277 giving a formal statement about the use of force, or (B) (i) there is an
278 allegation of misconduct concerning the police officer involved, or (ii)
279 the police officer involved is the subject of a disciplinary investigation,
280 subject to any limitations on disclosure set forth in subsection (g) of
281 section 29-6d of the general statutes, as amended by this act.

282 (d) The public agency shall maintain an original, unredacted copy of
283 any requested record that is redacted for public dissemination in
284 accordance with the provisions of this section.

285 (e) If the Freedom of Information Commission determines that a
286 public agency has violated any provision of this section, the Freedom of
287 Information Commission may order the public agency to refund any
288 payment made under this section.

289 Sec. 3. Subsections (a) and (b) of section 1-212 of the general statutes
290 are repealed and the following is substituted in lieu thereof (*Effective*
291 *October 1, 2025*):

292 (a) Any person applying in writing shall receive, promptly upon
293 request, a plain, facsimile, electronic or certified copy of any public
294 record. The type of copy provided shall be within the discretion of the
295 public agency, except (1) the agency shall provide a certified copy
296 whenever requested, and (2) if the applicant does not have access to a
297 computer or facsimile machine, the public agency shall not send the
298 applicant an electronic or facsimile copy. [The] Except as provided in
299 section 2 of this act, the fee for any copy provided in accordance with
300 the Freedom of Information Act:

301 (A) By an executive, administrative or legislative office of the state, a
302 state agency or a department, institution, bureau, board, commission,
303 authority or official of the state, including a committee of, or created by,

304 such an office, agency, department, institution, bureau, board,
305 commission, authority or official, and also including any judicial office,
306 official or body or committee thereof but only in respect to its or their
307 administrative functions, shall not exceed twenty-five cents per page;
308 and

309 (B) By all other public agencies, as defined in section 1-200, shall not
310 exceed fifty cents per page. If any copy provided in accordance with said
311 Freedom of Information Act requires a transcription, or if any person
312 applies for a transcription of a public record, the fee for such
313 transcription shall not exceed the cost thereof to the public agency.

314 (b) The fee for any copy provided in accordance with subsection (a)
315 of section 1-211 shall not exceed the cost thereof to the public agency.
316 [In] Except as provided in section 2 of this act, in determining such costs
317 for a copy, other than for a printout which exists at the time that the
318 agency responds to the request for such copy, an agency may include
319 only:

320 (1) An amount equal to the hourly salary attributed to all agency
321 employees engaged in providing the requested computer-stored public
322 record, including their time performing the formatting or programming
323 functions necessary to provide the copy as requested, but not including
324 search or retrieval costs except as provided in subdivision (4) of this
325 subsection;

326 (2) An amount equal to the cost to the agency of engaging an outside
327 professional electronic copying service to provide such copying
328 services, if such service is necessary to provide the copying as requested;

329 (3) The actual cost of the storage devices or media provided to the
330 person making the request in complying with such request; and

331 (4) The computer time charges incurred by the agency in providing
332 the requested computer-stored public record where another agency or
333 contractor provides the agency with computer storage and retrieval
334 services. Notwithstanding any other provision of this section, the fee for

335 any copy of the names of registered voters shall not exceed three cents
336 per name delivered or the cost thereof to the public agency, as
337 determined pursuant to this subsection, whichever is less. The
338 Department of Administrative Services shall provide guidelines to
339 agencies regarding the calculation of the fees charged for copies of
340 computer-stored public records to ensure that such fees are reasonable
341 and consistent among agencies.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2025</i>	29-6d
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	1-212(a) and (b)

GOS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Various State Agencies ¹	Various - Potential Revenue Gain	See Below	See Below

Note: Various=Various

Municipal Impact:

Municipalities	Effect	FY 26 \$	FY 27 \$
Municipal Police Departments	Potential Revenue Gain	See Below	See Below

Explanation

The bill results in a potential revenue gain to various state agencies¹ and municipal police departments by allowing such agencies, under certain circumstances, to charge a redaction fee for any body-worn or dashboard camera recordings requiring redaction prior to disclosure under the Freedom of Information Act. Such agencies may charge up to \$100 per hour of the requested recording's actual duration.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of requested records

¹ These agencies include, but are not limited to, the Connecticut State Police, the University of Connecticut Police Department, the police departments of the Connecticut State Colleges & Universities, the Department of Mental Health and Addiction Services Police, and the Environmental Conservation Police in the Department of Energy and Environmental Protection.

eligible for redaction fees.

OLR Bill Analysis**SB 973*****AN ACT PERMITTING REDACTION FEES FOR THE DISCLOSURE OF RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT OR DASHBOARD CAMERAS UNDER THE FREEDOM OF INFORMATION ACT.*****SUMMARY**

This bill sets conditions under which public agencies may charge a fee for redacting (i.e. obscuring, pixelating, or muting) body and dashboard camera recordings requested under the state's Freedom of Information Act (FOIA). It prohibits an agency from charging any fee for the first four hours of its labor costs to redact the requested record. Then, for any additional labor costs beyond those four hours, it allows the agency to charge a rate up to the hourly wage of the lowest-paid employee with the training required to redact the record, but no more than \$100 per hour for the requested recording's actual duration. The agency must maintain an original, unredacted copy of any requested record that is redacted for public dissemination.

However, an agency may not charge any redaction fee if the requestor is an involved person in the requested record or the record shows certain types of incidents (e.g., a police officer-involved shooting). Under the bill, an "involved person" is any (1) individual depicted in a body or dashboard camera recording; (2) individual directly involved in the incident that led to the police officer being called to respond; or (3) responding police officer, including the officer who created the recording.

For certain types of body and dashboard camera recordings, the bill sets additional redaction and disclosure requirements. Among other things, it requires that recordings showing certain confidential events (e.g., encounters with undercover officers) be redacted while requiring

others (e.g., psychological evaluations) to be disclosed to an involved person or requesting party if they show the involved person or requesting party.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2025

REDACTION FEES

Fee Calculation

Under existing law, fees for copies of public records (including body and dashboard camera recordings) are set by FOIA unless the law provides otherwise (see BACKGROUND). Generally, FOIA does not allow public agencies to charge requestors for the time spent redacting a record.

The bill generally allows public agencies that maintain copies of body or dashboard camera recordings to charge requestors a fee, but only for the time in excess of four hours they spend redacting the requested recordings.

Beyond four hours, the bill allows an agency to charge the hourly wage (i.e. base salary excluding benefits) of the lowest-paid employee with the requisite training to redact the record. The bill prohibits agencies from charging for (1) time spent searching for the requested records, (2) an attorney hired to conduct a second review of the record, or (3) a digital management company's services.

Under the bill, the redaction fee may not exceed \$100 per hour for the actual length of time of the requested record. The agency may round up the actual length of time to the nearest half-hour at the rate of \$50 per hour (e.g., for a five hours and ten minutes long recording, an agency could charge no more than \$525). Agencies (1) must inform the requestor if the fee is estimated to exceed \$250, (2) may require prepayment in these cases, and (3) must refund any portion of a prepayment that exceeds the actual labor costs. The bill allows the Freedom of Information Commission (FOIC) to order a refund of a

payment or prepayment if it finds that a public agency violated these fee provisions.

Fee Prohibitions and Waivers

The bill prohibits public agencies from charging any redaction fee to a requesting party who is an (1) involved person in the requested record; (2) involved person's parent or legal guardian; or (3) attorney representing an involved person in a civil, criminal, or administrative matter. It also prohibits fees from being charged:

1. for records that depict a police officer (a) involved in a shooting or motor vehicle accident or (b) giving a formal statement about the use of force, or
2. if there is an allegation of misconduct by the police officer involved or the officer is the subject of a disciplinary investigation.

The bill specifies that these records remain subject to the disclosure limitations under current law and the bill.

The bill also requires agencies to waive the redaction fee for the same reasons that FOIA requires copying fees to be waived. FOIA generally requires these fee waivers for (1) political subdivisions' elected officials getting records from their own agency for official business; (2) indigent people; (3) public defenders; (4) records exempt from disclosure; and (5) requests that benefit the general welfare, as determined by the agency.

DISCLOSURE AND REDACTION OF BODY CAMERA RECORDINGS

Additional Disclosure Requirements

Existing law generally subjects body and dashboard camera recordings to disclosure under FOIA, with certain exceptions. Among other things, current law (1) prohibits officers from intentionally recording a person undergoing a medical or psychological evaluation, procedure, or treatment, unless the recording was made as part of an agreement between the law enforcement unit and the federal government and (2) makes confidential any recording showing these

events. The bill requires that recordings showing these events be disclosed to an involved person or requesting party if they show the involved person or requesting party.

With certain exceptions, existing law generally prohibits disclosing recordings of a minor. Under current law, a recording of a minor must be disclosed if, among other things, the minor and his or her parent or guardian consent to disclosure. The bill additionally requires disclosure if the (1) minor is an involved person and (2) parent or guardian is a requesting party or also an involved person.

Additional Redaction Requirements

The bill requires redaction of body and dashboard camera recordings of any of the following, which are confidential and generally exempt from disclosure under FOIA:

1. communications between law enforcement unit personnel, except those that may be recorded as an officer performs his or her duties;
2. encounters with undercover officers, informants, or officers performing certain detective work;
3. officers on break or engaging in a personal activity;
4. someone undergoing a medical or psychological evaluation, procedure, or treatment;
5. anyone, other than a criminal suspect, in a hospital or other medical facility;
6. a mental health facility, unless the recording was made during a response to a call involving a criminal suspect thought to be present in the facility;
7. scenes of an incident involving victims of domestic or sexual abuse, homicide or suicide, or a fatal accident, if disclosure could reasonably be expected to constitute an unwarranted invasion of

the victim's personal privacy; or

8. a minor.

BACKGROUND

FOIA Fees

FOIA allows public agencies to charge the following for producing copies of computer-stored public records:

1. the hourly salary attributed to all agency employees engaged in providing the requested record (including their time performing necessary formatting or programming functions, but excluding search or retrieval costs);
2. the cost of an outside professional electronic copying service, if needed;
3. the actual cost of the storage devices or media provided to the requestor; and
4. computer time charges if a contractor or another agency provides the storage and retrieval services (CGS §§ 1-211(a) & -212(b)).

Related Case

In a contested case decided in 2023, FOIC rejected a law enforcement agency's attempt to charge a requestor for labor costs to pixelate and mute a body camera recording. Specifically, FOIC ruled that these actions were not formatting or programming within the meaning of FOIA's fee provisions (because the agency used existing software and did not need to develop a program or contract with an outside entity to develop a program) (FIC 2022-0176 (2023)).

Related Bill

SB 1229, reported favorably by the Government Administration and Elections Committee, is identical to this bill.

COMMITTEE ACTION

Government Oversight Committee

Joint Favorable

Yea 9 Nay 0 (02/25/2025)