

SB157 INTRODUCED



1 SB157
2 MSIZ91W-1
3 By Senators Coleman, Figures, Stewart, Smitherman
4 RFD: Veterans, Military Affairs and Public Safety
5 First Read: 14-Jan-26



SYNOPSIS:

Under existing law, a recording made by a body-worn camera or dashboard camera used by a law enforcement agency may only be disclosed to an individual or a personal representative of an individual whose image or voice is the subject of the recording.

This bill would provide that a recording made by a body-worn camera or dashboard camera used by a law enforcement agency be considered a public record, making the recording subject to public inspection.

This bill would also provide for an appeals process if a law enforcement agency fails to provide a requested recording.

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement; to amend Sections 36-21-210, 36-21-212, and 36-21-213, Code of Alabama 1975; to further provide for the release of certain law enforcement recordings; and to provide an appeal process.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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Section 1. Sections 36-21-210, 36-21-212, and 36-21-213, Code of Alabama 1975, are amended to read as follows:

"§36-21-210

~~As used in~~ For the purposes of this article, the following terms have the following meanings:

(1) BODY-WORN CAMERA. An operational video or digital camera or other electronic device, including a microphone or other mechanism to capture audio, affixed to the uniform or person of law enforcement agency personnel and positioned in a way that allows the camera or device to capture interactions between law enforcement agency personnel and others.

(2) CUSTODIAL LAW ENFORCEMENT AGENCY. The law enforcement agency that owns or leases or whose personnel operates the equipment that created the recording at the time the recording was made. If another law enforcement agency takes over the investigation of the recorded incident, that agency becomes the custodial law enforcement agency for the purposes of this article.

(3) DASHBOARD CAMERA. A device or system installed or used in a law enforcement agency vehicle that electronically records images or audio of interactions between law enforcement agency personnel and others. This term does not include a body-worn camera.

~~(4) DISCLOSE or DISCLOSURE. To make a recording available for viewing or listening at a time and location chosen by the custodial law enforcement agency. This term does not include the release of a recording.~~



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~~(5) PERSONAL REPRESENTATIVE. A parent, court-appointed guardian, spouse, or attorney of an individual whose image or voice is the subject of the recording. If an individual whose image or voice is the subject of the recording is deceased, the term also means the personal representative of the estate of the deceased individual; the deceased individual's surviving spouse, parent, or adult child; the deceased individual's attorney; or the parent or guardian of a surviving minor child of the deceased.~~

~~(6)~~ (4) RECORDING. A visual, audio, or visual and audio recording captured by a body-worn camera, a dashboard camera, or any other video or audio recording device operated by or on behalf of a law enforcement agency or law enforcement agency personnel when carrying out law enforcement responsibilities. This term does not include any video or audio recordings of interviews regarding agency internal investigations or interviews or interrogations of suspects or witnesses.

~~(7) RELEASE. To provide a copy of a recording."~~

"§36-21-212

(a) ~~Recordings~~ A recording in the custody of a law enforcement agency shall be ~~disclosed to an individual or personal representative only as provided by this article. This article does not apply to the exchange of recordings between law enforcement or prosecuting agencies~~ deemed a public record under Section 36-12-40 and subject to public inspection as otherwise provided by law. An individual requesting ~~disclosure~~ the release of a recording must make a written request to the head of the custodial law enforcement agency that states the



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85 date and approximate time of the activity captured in the
86 recording or otherwise identifies the activity with reasonable
87 particularity sufficient to identify the recording to which
88 the request refers.

89 (b) Nothing in this article shall limit or restrict the
90 application of the Alabama Rules of Civil Procedure as they
91 may be applied to the custodial law enforcement agency,
92 including, but not limited to, Rule 45, nor Chapter 21 of
93 Title 12.

94 ~~(c) A custodial law enforcement agency may only~~
95 ~~disclose a recording to the following:~~

96 ~~(1) An individual whose image or voice is the subject~~
97 ~~of the recording.~~

98 ~~(2) A personal representative of an adult individual~~
99 ~~whose image or voice is the subject of the recording if the~~
100 ~~adult individual has consented to the disclosure.~~

101 ~~(3) A personal representative of a minor whose image or~~
102 ~~voice is the subject of the recording.~~

103 ~~(4) A personal representative of an adult individual~~
104 ~~under lawful guardianship whose image or voice is the subject~~
105 ~~of the recording.~~

106 ~~(5) A personal representative of an adult individual~~
107 ~~who is incapacitated and unable to provide consent to~~
108 ~~disclosure whose image or voice is the subject of the~~
109 ~~recording.~~

110 ~~(6) A personal representative of a deceased individual~~
111 ~~whose image or voice is the subject of the recording.~~

112 ~~(d)~~ (c) When ~~disclosing~~ releasing a recording, the



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custodial law enforcement agency shall ~~disclose~~release only those portions of the recording that are relevant to the individual's request.

~~(e) An individual who receives disclosure pursuant to this section shall not record or copy the recording.~~

(d) (1) An individual whose request for the release of a recording is denied by a law enforcement agency may file a petition for judicial review in the circuit court of the county where the individual resides or where the law enforcement agency is located.

(2) A circuit court may uphold a denial to release a recording only if the release would substantially interfere with an ongoing investigation or prosecution, including, but not limited to, endangering the safety of a witness or a confidential source."

"§36-21-213

(a) ~~Upon~~Not more than 30 days after receipt of the written request for ~~disclosure~~release and payment of a reasonable fee, not to exceed the actual cost of producing the recording, ~~as promptly as possible,~~ the custodial law enforcement agency shall do either of the following:

(1) ~~Disclose~~Release the portion of the recording relevant to the individual's request.

(2) Notify the requestor of the custodial law enforcement agency's decision not to ~~disclose~~release the recording if the release of ~~. A custodial law enforcement agency may choose to not disclose~~ the recording ~~if the disclosure~~ would ~~affect~~ substantially interfere with an



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141 ongoing active law enforcement investigation or prosecution.

142 (b) A custodial law enforcement agency may charge a
143 reasonable fee for redaction and editing of a recording."

144 Section 2. This act shall become effective on October
145 1, 2026.