



SPONSOR: Rep. Dorsey Walker & Rep. Cooke & Rep. Lynn & Sen. Brown
Reps. Baumbach, Bolden, Griffith, K. Johnson, Kowalko, Longhurst, Morrison, K. Williams; Sens. Bonini, Ennis, S. McBride, Pinkney, Sturgeon, Townsend

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 185

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BODY WORN CAMERAS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Part V, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 Chapter 81A. Body Worn Cameras for Law Enforcement Officers.

4 § 8101A. Definitions.

5 For the purposes of this chapter:

6 (1) “Body worn camera” means an electronic device that is worn by a law-enforcement officer and records
7 audio and video data on the device itself or transmits audio and video data to another location for recording.

8 (2) “Law-enforcement officer” means a sworn member of a law-enforcement agency.

9 (3) “Law-enforcement agency” means any of the following:

10 a. A police department of any political subdivision of this State.

11 b. Delaware State Police.

12 c. Capitol Police.

13 d. University of Delaware Police.

14 e. Delaware State University Police.

15 f. A division within the Department of Natural Resources and Environmental Control that employs law-
16 enforcement officers.

17 g. A task force which includes officers of the Bureau of Community Corrections of the Department of
18 Correction.

19 h. A special investigator or serious juvenile offender officers of the Division of Youth Rehabilitative
20 Services of the Department of Services for Children, Youth, and their Families.

21 i. Division of Alcohol and Tobacco Enforcement.

22 § 8102A. Body worn camera requirements.

23 (a) A law-enforcement officer shall wear a body worn camera while on duty in a role in which the law-
24 enforcement-officer is likely to interact with a member of the public.

25 (b) A law-enforcement officer required to wear a body worn camera under subsection (a) of this section shall use
26 the body worn camera to record all interactions with a member of the public while on duty.

27 (c) A law-enforcement agency shall retain any recording made by the body worn camera under subsection (b) of
28 this section for at least 90 days following the interaction, unless the agency has received a request or a court order to
29 preserve the recording for a longer period.

SYNOPSIS

This Act requires certain law-enforcement officer to wear and use a body worn camera to record all interactions with a member of the public. The Act also requires law-enforcement agencies to retain body worn camera recordings for at least 90 days following the interaction unless the agency has received a request or a court order to preserve the recording for a longer period of time.