

Rep. Kremer: Rep. Kremer circulates pro-police, pro-privacy body camera legislation

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Madison, WI – Rep. Jesse Kremer (R-Kewaskum) has circulated a bill that addresses policing technology as it relates to privacy and the 4th amendment. With the assistance of Sen. Patrick Testin (R-Stevens Point) this minimal statewide body camera policy will balance public privacy with public safety.

Under current law, and subject to a balancing test by the data custodian, most body camera footage may be released to the media or public. Following discussions with local law enforcement officials, it was noted that nearly 95% of all video footage will be released if an open records request is received.

While transparency is of utmost importance, there are situations and locations where the expectation of privacy must be protected. For instance, video footage of a child trafficking situation, a late night domestic situation within an apartment unit or a simple interview with a police officer in one's home regarding a neighbor noise complaint.

This bill will ensure that all video recorded by a body camera will be held for a minimum of 120 days. (Most law enforcement agencies hold footage for a considerably longer period.) Any footage related to a death, alleged physical injury, custodial arrest or search during temporary questioning will be held until a court disposition and may still be released to the public *unless* these videos have been recorded in a location where there may be an expectation of privacy. If the aforementioned footage has been recorded in a location where there is an expectation of privacy, as determined by prior court rulings, any known victims, witnesses, minor custodians or property owners must sign off on the release of the

video.

Following the circulation of the bill, Rep. Kremer stated, "This is a piece of legislation that has been in the works with law enforcement stakeholders for nearly a year and a half. While there are countless scenarios related to body camera footage as it relates to public privacy, we feel that this bill strikes a careful balance to ensure that public transparency, as it relates to policing practices, is maintained while safeguarding personal privacy protections. While most law enforcement agencies have strong policies related to body camera footage, there is a consensus that minimal statewide guidance should be mandated. This legislation will serve as a good starting point and provide clarification for our law enforcement agencies."

For more information....

Rep. Kremer Opinion on the Subject: ["Body Cameras: Policing with Privacy in an Age of Technology"](#)

Rep. Kremer represents the 59th Assembly District which includes Southern Calumet, Western Sheboygan, Northern Washington and Eastern Fond du Lac Counties. Rep. Kremer's office will continue to be located at 17 West in the Wisconsin State Capitol, and he can be reached at [\(608\) 266-9175](tel:6082669175) or by e-mail at Rep.Kremer@legis.wisconsin.gov. His legislative website can be found at www.RepKremer.com.