

HB 3261 A STAFF MEASURE SUMMARY

Carrier: Rep. Gorsek

House Committee On Judiciary

Action Date: 04/08/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 9-2-0-0

Yeas: 9 - Bynum, Gorsek, Greenlick, Lewis, Piluso, Power, Sprenger, Stark, Williamson

Nays: 2 - Barker, McLane

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Addie Smith, Counsel

Meeting Dates: 3/28, 4/8

WHAT THE MEASURE DOES:

Requires peace officers equipped with a body camera to record all custodial interviews of persons under 18 years of age in the course of investigating acts that would constitute felony and misdemeanor crimes if committed by an adult, regardless of where the interview occurs. Provides an exception where the person's age was unknown to the officer or would not have been objectively apparent to a reasonable officer.

ISSUES DISCUSSED:

- Protection of law enforcement and youth by interview recordation
- Importance of officer safety and the ability to record interviews with hands-free devices
- Current use of body cameras
- Ability of law enforcement to identify individuals under 18 years of age

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The legislature passed House Bill 3242 (2017), which required police officers to record interviews of youth under 18 in law enforcement facilities in connection with investigations into acts that would constitute a felony if committed by an adult.

House Bill 3261 A expands on HB 3242 (2017) by requiring that a peace officer equipped with a body camera record custodial interviews with youth under 18 years of age in the course of investigating acts that would constitute felony and misdemeanor crimes if committed by an adult, regardless of where the interview occurs.