RHODE ISLAND GOVERNMENT REGISTER

PUBLIC NOTICE OF PROPOSED RULEMAKING

ATTORNEY GENERAL

Title of Rule: Rules and Regulations Establishing Statewide Policy for the Use and Operation of Body-Worn Cameras

Rule Identifier: 110-RICR-10-00-2

Rulemaking Action: Proposed Adoption

Important Dates:

Date of Public Notice: July 19, 2022

Hearing Date: August 3, 2022

End of Public Comment: August 19, 2022

Rulemaking Authority:

R.I. Gen. Laws § 42-161-4

Summary of Rulemaking Action:

These rules and regulations are promulgated to set forth thestatewide policy for the use and operation of body-worn cameras. The policy isintended to govern Rhode Island law enforcement agencies using and operatingbody-worn cameras in connection with R.I. Gen. Laws Chapter 42-161, theStatewide Body-Worn Camera Program.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed adoption until August 19, 2022 by contacting the appropriate party at the address listed below:

Dan Sutton

Attorney General

150 S. Main Street

Providence, RI 02903

bwcstatewidepolicy@riag.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed adoption shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: August 3, 2022

Time: 5:00 P.M.

Location: R.I. Attorney General's Office
150 S. Main Street
Providence, RI, 02903

The seating capacity of the room will be enforced and, therefore, the number of persons participating in the hearing may be limited at any given time by the hearing officer in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-274-4400 X-2506 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

Regulatory Analysis Summary and Supporting Documentation:

The policy at the center of the proposed rule is anticipatedto generate significant, long-term public health, safety, welfare, and economicbenefits for the State of Rhode Island and its residents. These substantivebenefits for Rhode Islanders and the State stemming from the policy include:creating consistency in public safety policy and setting public expectationsfor police, advancing protection of important constitutional rights, ensuringimportant interactions between law enforcement and members of the public aredocumented, and building important public trust in government. There are alsomodest costs associated with local and state police agencies participating inthe Statewide Body-worn Camera Program and adopting the policy, specificallyrelated to: video review for auditing and compliance; and video review,redaction, and processing for open records requests and civil and criminaldiscovery.

The Attorney General and the Department of Public Safety, inconsultation with the Rhode Island Police Chiefs' Association, have developedthe Policy to achieve the maximum potential benefit to the State of RhodeIsland through the Statewide Body-worn Camera Program and the fundingappropriated for its use. The primary goals of the program are to promote thewidespread adoption of body-worn cameras—key accountability and law enforcementtools that are an unbiased witness to law enforcement actions and help buildcommunity trust while providing prosecutors with critical evidence—and ensuringthe effective use and operation of the cameras. As drafted, the AttorneyGeneral and the Department of Public Safety believe the policy will achievethese goals, providing long-term health, safety, welfare and economic benefitsto the State of Rhode Island.

The Attorney General and the Department of Public Safetyhave determined that the benefits of the proposed rule justify the costs of theproposed rule, and that the proposed rule will achieve the objectives of theauthorizing legislation in a more cost-effective manner, or with greater netbenefits, than other regulatory alternatives.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.