



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3524

Introduced 2/18/2025, by Rep. Justin Slaughter

#### SYNOPSIS AS INTRODUCED:

50 ILCS 706/10-20

Amends the Law Enforcement Officer-Worn Body Camera Act. Provides that the written policy that must be adopted by each law enforcement agency that employs the use of officer-worn body cameras must require cameras to be turned off when, among other things, an executive branch constitutional officer requests that the camera be turned off and that request is made to the executive branch constitutional officer's on-duty and assigned security detail.

LRB104 11849 RTM 21939 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Law Enforcement Officer-Worn Body Camera  
5 Act is amended by changing Section 10-20 as follows:

6 (50 ILCS 706/10-20)

7 Sec. 10-20. Requirements.

8 (a) The Board shall develop basic guidelines for the use  
9 of officer-worn body cameras by law enforcement agencies. The  
10 guidelines developed by the Board shall be the basis for the  
11 written policy which must be adopted by each law enforcement  
12 agency which employs the use of officer-worn body cameras. The  
13 written policy adopted by the law enforcement agency must  
14 include, at a minimum, all of the following:

15 (1) Cameras must be equipped with pre-event recording,  
16 capable of recording at least the 30 seconds prior to  
17 camera activation, unless the officer-worn body camera was  
18 purchased and acquired by the law enforcement agency prior  
19 to July 1, 2015.

20 (2) Cameras must be capable of recording for a period  
21 of 10 hours or more, unless the officer-worn body camera  
22 was purchased and acquired by the law enforcement agency  
23 prior to July 1, 2015.

1           (3) Cameras must be turned on at all times when the  
2 officer is in uniform and is responding to calls for  
3 service or engaged in any law enforcement-related  
4 encounter or activity that occurs while the officer is on  
5 duty.

6           (A) If exigent circumstances exist which prevent  
7 the camera from being turned on, the camera must be  
8 turned on as soon as practicable.

9           (B) Officer-worn body cameras may be turned off  
10 when the officer is inside of a patrol car which is  
11 equipped with a functioning in-car camera; however,  
12 the officer must turn on the camera upon exiting the  
13 patrol vehicle for law enforcement-related encounters.

14           (C) Officer-worn body cameras may be turned off  
15 when the officer is inside a correctional facility or  
16 courthouse which is equipped with a functioning camera  
17 system.

18           (4) Cameras must be turned off when:

19           (A) the victim of a crime requests that the camera  
20 be turned off, and unless impractical or impossible,  
21 that request is made on the recording;

22           (B) a witness of a crime or a community member who  
23 wishes to report a crime requests that the camera be  
24 turned off, and unless impractical or impossible that  
25 request is made on the recording;

26           (C) the officer is interacting with a confidential

1 informant used by the law enforcement agency; ~~or~~

2 (D) an officer of the Department of Revenue enters  
3 a Department of Revenue facility or conducts an  
4 interview during which return information will be  
5 discussed or visible; or.

6 (E) an executive branch constitutional officer  
7 requests that the camera be turned off and that  
8 request is made to the executive branch constitutional  
9 officer's on-duty and assigned security detail.

10 However, an officer may continue to record or resume  
11 recording a victim or a witness, if exigent circumstances  
12 exist, or if the officer has reasonable articulable  
13 suspicion that a victim or witness, or confidential  
14 informant has committed or is in the process of committing  
15 a crime. Under these circumstances, and unless impractical  
16 or impossible, the officer must indicate on the recording  
17 the reason for continuing to record despite the request of  
18 the victim or witness.

19 (4.5) Cameras may be turned off when the officer is  
20 engaged in community caretaking functions. However, the  
21 camera must be turned on when the officer has reason to  
22 believe that the person on whose behalf the officer is  
23 performing a community caretaking function has committed  
24 or is in the process of committing a crime. If exigent  
25 circumstances exist which prevent the camera from being  
26 turned on, the camera must be turned on as soon as

1 practicable.

2 (5) The officer must provide notice of recording to  
3 any person if the person has a reasonable expectation of  
4 privacy and proof of notice must be evident in the  
5 recording. If exigent circumstances exist which prevent  
6 the officer from providing notice, notice must be provided  
7 as soon as practicable.

8 (6) (A) For the purposes of redaction or duplicating  
9 recordings, access to camera recordings shall be  
10 restricted to only those personnel responsible for those  
11 purposes. The recording officer or his or her supervisor  
12 may not redact, duplicate, or otherwise alter the  
13 recording officer's camera recordings. Except as otherwise  
14 provided in this Section, the recording officer and his or  
15 her supervisor may access and review recordings prior to  
16 completing incident reports or other documentation,  
17 provided that the supervisor discloses that fact in the  
18 report or documentation.

19 (i) A law enforcement officer shall not have  
20 access to or review his or her body-worn camera  
21 recordings or the body-worn camera recordings of  
22 another officer prior to completing incident reports  
23 or other documentation when the officer:

24 (a) has been involved in or is a witness to an  
25 officer-involved shooting, use of deadly force  
26 incident, or use of force incidents resulting in

1 great bodily harm;

2 (b) is ordered to write a report in response  
3 to or during the investigation of a misconduct  
4 complaint against the officer.

5 (ii) If the officer subject to subparagraph (i)  
6 prepares a report, any report shall be prepared  
7 without viewing body-worn camera recordings, and  
8 subject to supervisor's approval, officers may file  
9 amendatory reports after viewing body-worn camera  
10 recordings. Supplemental reports under this provision  
11 shall also contain documentation regarding access to  
12 the video footage.

13 (B) The recording officer's assigned field  
14 training officer may access and review recordings for  
15 training purposes. Any detective or investigator  
16 directly involved in the investigation of a matter may  
17 access and review recordings which pertain to that  
18 investigation but may not have access to delete or  
19 alter such recordings.

20 (7) Recordings made on officer-worn cameras must be  
21 retained by the law enforcement agency or by the camera  
22 vendor used by the agency, on a recording medium for a  
23 period of 90 days.

24 (A) Under no circumstances shall any recording,  
25 except for a non-law enforcement related activity or  
26 encounter, made with an officer-worn body camera be

1 altered, erased, or destroyed prior to the expiration  
2 of the 90-day storage period. In the event any  
3 recording made with an officer-worn body camera is  
4 altered, erased, or destroyed prior to the expiration  
5 of the 90-day storage period, the law enforcement  
6 agency shall maintain, for a period of one year, a  
7 written record including (i) the name of the  
8 individual who made such alteration, erasure, or  
9 destruction, and (ii) the reason for any such  
10 alteration, erasure, or destruction.

11 (B) Following the 90-day storage period, any and  
12 all recordings made with an officer-worn body camera  
13 must be destroyed, unless any encounter captured on  
14 the recording has been flagged. An encounter is deemed  
15 to be flagged when:

16 (i) a formal or informal complaint has been  
17 filed;

18 (ii) the officer discharged his or her firearm  
19 or used force during the encounter;

20 (iii) death or great bodily harm occurred to  
21 any person in the recording;

22 (iv) the encounter resulted in a detention or  
23 an arrest, excluding traffic stops which resulted  
24 in only a minor traffic offense or business  
25 offense;

26 (v) the officer is the subject of an internal

1 investigation or otherwise being investigated for  
2 possible misconduct;

3 (vi) the supervisor of the officer,  
4 prosecutor, defendant, or court determines that  
5 the encounter has evidentiary value in a criminal  
6 prosecution; or

7 (vii) the recording officer requests that the  
8 video be flagged for official purposes related to  
9 his or her official duties or believes it may have  
10 evidentiary value in a criminal prosecution.

11 (C) Under no circumstances shall any recording  
12 made with an officer-worn body camera relating to a  
13 flagged encounter be altered or destroyed prior to 2  
14 years after the recording was flagged. If the flagged  
15 recording was used in a criminal, civil, or  
16 administrative proceeding, the recording shall not be  
17 destroyed except upon a final disposition and order  
18 from the court.

19 (D) Nothing in this Act prohibits law enforcement  
20 agencies from labeling officer-worn body camera video  
21 within the recording medium; provided that the  
22 labeling does not alter the actual recording of the  
23 incident captured on the officer-worn body camera. The  
24 labels, titles, and tags shall not be construed as  
25 altering the officer-worn body camera video in any  
26 way.



1           (8) Following the 90-day storage period, recordings  
2           may be retained if a supervisor at the law enforcement  
3           agency designates the recording for training purposes. If  
4           the recording is designated for training purposes, the  
5           recordings may be viewed by officers, in the presence of a  
6           supervisor or training instructor, for the purposes of  
7           instruction, training, or ensuring compliance with agency  
8           policies.

9           (9) Recordings shall not be used to discipline law  
10          enforcement officers unless:

11                (A) a formal or informal complaint of misconduct  
12                has been made;

13                (B) a use of force incident has occurred;

14                (C) the encounter on the recording could result in  
15                a formal investigation under the Uniform Peace  
16                Officers' Disciplinary Act; or

17                (D) as corroboration of other evidence of  
18                misconduct.

19          Nothing in this paragraph (9) shall be construed to  
20          limit or prohibit a law enforcement officer from being  
21          subject to an action that does not amount to discipline.

22          (10) The law enforcement agency shall ensure proper  
23          care and maintenance of officer-worn body cameras. Upon  
24          becoming aware, officers must as soon as practical  
25          document and notify the appropriate supervisor of any  
26          technical difficulties, failures, or problems with the

1 officer-worn body camera or associated equipment. Upon  
2 receiving notice, the appropriate supervisor shall make  
3 every reasonable effort to correct and repair any of the  
4 officer-worn body camera equipment.

5 (11) No officer may hinder or prohibit any person, not  
6 a law enforcement officer, from recording a law  
7 enforcement officer in the performance of his or her  
8 duties in a public place or when the officer has no  
9 reasonable expectation of privacy. The law enforcement  
10 agency's written policy shall indicate the potential  
11 criminal penalties, as well as any departmental  
12 discipline, which may result from unlawful confiscation or  
13 destruction of the recording medium of a person who is not  
14 a law enforcement officer. However, an officer may take  
15 reasonable action to maintain safety and control, secure  
16 crime scenes and accident sites, protect the integrity and  
17 confidentiality of investigations, and protect the public  
18 safety and order.

19 (b) Recordings made with the use of an officer-worn body  
20 camera are not subject to disclosure under the Freedom of  
21 Information Act, except that:

22 (1) if the subject of the encounter has a reasonable  
23 expectation of privacy, at the time of the recording, any  
24 recording which is flagged, due to the filing of a  
25 complaint, discharge of a firearm, use of force, arrest or  
26 detention, or resulting death or bodily harm, shall be

1 disclosed in accordance with the Freedom of Information  
2 Act if:

3 (A) the subject of the encounter captured on the  
4 recording is a victim or witness; and

5 (B) the law enforcement agency obtains written  
6 permission of the subject or the subject's legal  
7 representative;

8 (2) except as provided in paragraph (1) of this  
9 subsection (b), any recording which is flagged due to the  
10 filing of a complaint, discharge of a firearm, use of  
11 force, arrest or detention, or resulting death or bodily  
12 harm shall be disclosed in accordance with the Freedom of  
13 Information Act; and

14 (3) upon request, the law enforcement agency shall  
15 disclose, in accordance with the Freedom of Information  
16 Act, the recording to the subject of the encounter  
17 captured on the recording or to the subject's attorney, or  
18 the officer or his or her legal representative.

19 For the purposes of paragraph (1) of this subsection (b),  
20 the subject of the encounter does not have a reasonable  
21 expectation of privacy if the subject was arrested as a result  
22 of the encounter. For purposes of subparagraph (A) of  
23 paragraph (1) of this subsection (b), "witness" does not  
24 include a person who is a victim or who was arrested as a  
25 result of the encounter.

26 Only recordings or portions of recordings responsive to

1 the request shall be available for inspection or reproduction.  
2 Any recording disclosed under the Freedom of Information Act  
3 shall be redacted to remove identification of any person that  
4 appears on the recording and is not the officer, a subject of  
5 the encounter, or directly involved in the encounter. Nothing  
6 in this subsection (b) shall require the disclosure of any  
7 recording or portion of any recording which would be exempt  
8 from disclosure under the Freedom of Information Act.

9 (c) Nothing in this Section shall limit access to a camera  
10 recording for the purposes of complying with Supreme Court  
11 rules or the rules of evidence.

12 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
13 102-687, eff. 12-17-21; 102-694, eff. 1-7-22; 102-1104, eff.  
14 12-6-22.)