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ACLU OF RI POSITION: SUPPORT/AMEND

TESTIMONY ON 26-H 8115 and 26-H 8116, RELATING TO CORRECTIONS DEPARTMENT, AND RELATING TO THE BODY CAMERAS FOR CORRECTIONAL FACILITIES ACT March 24, 2026

H-8115 would require the director of the Department of Corrections to adopt policies governing the use of body-worn cameras (BWC) by correctional officers. H-8116 would, among other things as described in the explanation, require “correctional staff to wear and activate body cameras, set rules for recording and access, create an independent oversight board, mandate training and reporting, and establish a grant funded pilot program.” Because, as with police body cameras, we believe BWCs can promote accountability in the correctional setting and serve as a useful oversight tool both for correctional officers and for those who are incarcerated, we consider the deployment of these cameras to be a positive step and support the crux of both of these bills.

However, we do wish to suggest a few amendments. Absent the right protections – including assurances as to when the cameras may be turned on and off – use of the devices can be very problematic in the confined setting of a prison where a person cannot avoid being recorded. The bill references the importance of “maintaining the dignity and privacy of incarcerated individuals,” but does not explicitly set standards to ensure that the activation of body cameras is not misused by correctional officers to undermine that goal. We recognize that the legislation appropriately requires the adoption of formal regulations to address issues like this one, but it appears to also provide for implementation of a pilot program before those regulations have been adopted. We would therefore urge amendments to the legislation to deal with this gap in privacy protection.

There are two other amendments we would ask the committee to consider. The bill would, appropriately, allow prisoners to view recordings that directly involve them – but only under “appropriate” circumstances. It would be helpful to expand on the meaning of this term so that individuals are not arbitrarily denied access to recordings involving their own interactions with guards.

Finally, we note that the bill provides for “potential civil liabilities” against correctional officers who violate the statute. However, no specifics are provided about what these liabilities might be or how they can be pursued. Here again we would urge that more details be provided so that people who are affected by violations of the statute have clear legal remedies delineated.

More broadly, however, we strongly support this legislative effort and urge the adoption of a program providing for the use of body cameras during correctional officer interactions with incarcerated persons at the ACI. Thank you for considering our views.