



128 Dorrance Street, Suite 400  
Providence, RI 02903  
Phone: (401) 831-7171  
Fax: (401) 831-7175  
[www.riaclu.org](http://www.riaclu.org)  
[info@riaclu.org](mailto:info@riaclu.org)

**COMMENTS ON  
“PROPOSED DEPARTMENT OF PUBLIC SAFETY AMENDMENTS  
TO RULES AND REGULATIONS ESTABLISHING STATEWIDE POLICY FOR THE  
USE AND OPERATION OF BODY-WORN CAMERAS” [270-RICR-60-00-2]  
June 22, 2026**

The ACLU of Rhode Island appreciates the opportunity to offer comments on the proposed amendments to these regulations. In doing so, we wish to express serious concerns about revisions being made to section 2.5.12(C)(1) of the regulations, addressing police officer access to their body-worn camera footage following certain serious “use of force” incidents.

Under the current regulations, the officer is not permitted to view any camera footage associated with the incident until they have provided “a descriptive statement from their recollection and perception of the incident, in either a recorded walk-through statement or another type of recorded statement.” Under the proposed revisions, however, the officer’s initial statements would no longer need to be memorialized through a recording. Instead, it could consist merely of an oral statement “taken by a supervising officer” and written down.

This is a significant change that creates the possibility of ambiguities in the officer’s statement, or disputes about the accuracy of the statement, that are not present when the statement is recorded. Any purported burden on police departments in having to record these initial statements must be considered negligible in light of the fact that this obligation applies only to the most serious types of “use of force” actions by a police officer. We therefore do not believe there is any compelling need for making this change, and it should be rejected.

We are similarly deeply troubled by the revisions being made to subsection 2 of this section. Under the proposed amendment to this subsection, the officer would be able to view their own BWC recording prior to providing a formal audio or video recorded statement. In establishing this two-step process for statements and by allowing officers access to their camera footage in between those steps, this revised process can only encourage officers to initially provide a generic, vague narrative that can later be “amplified” or corrected after they view their recordings. This too has the effect of undermining the goal currently codified in the rules: trying to ensure that an officer’s recollection and explanation of an incident is not tainted by a review of their body-worn camera footage.

In short, the changes in these two subsections end up allowing what the current provisions are designed to prevent. But the existing rules have it right: until an officer has provided a formal recorded statement about the incident, they simply should not be allowed to review the body-worn camera footage of the incident.

We therefore urge that the amendments being made to these two subsections be rejected and the language currently existing in the regulations on this topic be maintained.

If the suggestions we have made are not adopted, we request, pursuant to R.I.G.L. §42-35-2.6, a statement of the reasons for not accepting these arguments. Thank you for your consideration of our views.<sup>1</sup>

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<sup>1</sup> This testimony is being submitted via both mail and email.