

LAW ENFORCEMENT BODY-WORN CAMERA PRIVACY ACT (EXCERPT)
Act 85 of 2017

780.315 Audio or video recording from body-worn camera; retention by law enforcement agency; disclosure as public record; limitation.

Sec. 5.

(1) An audio or video recording from a body-worn camera that is retained by a law enforcement agency in connection with an ongoing criminal investigation or an ongoing internal investigation is not a public record and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, but only to the extent that disclosure as a public record would do any of the following:

- (a) Interfere with law enforcement proceedings.
- (b) Deprive a person of the right to a fair trial or impartial adjudication.
- (c) Constitute an unwarranted invasion of personal privacy.
- (d) Disclose the identity of a confidential source or, if the record is compiled by a law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source.
- (e) Disclose law enforcement investigative techniques or procedures.
- (f) Endanger the life or physical safety of law enforcement personnel.
- (g) Disclose information regarding a crime victim in violation of sections 8, 19, 19a, 21, 34, 38, 48, 62, 68, and 80 of the William Van Regenmorter crime victim's rights act, 1985 PA 87, MCL 780.758, 780.769, 780.769a, 780.771, 780.784, 780.788, 780.798, 780.812, 780.818, and 780.830.

(2) An audio or video recording from a body-worn camera that is retained by a law enforcement agency relating to a civil action in which the requesting party and the public body are parties is not a public record and is exempt from disclosure under section 13(1)(v) of the freedom of information act, 1976 PA 442, MCL 15.243.

History: 2017, Act 85, Eff. Jan. 8, 2018