

GA. Code 50-18-96 Retention of video recordings from law enforcement sources; destruction; presumption from destruction; fee for duplication (Georgia Code (2023 Edition))

§ 50-18-96. Retention of video recordings from law enforcement sources; destruction; presumption from destruction; fee for duplication

(a) As used in this Code section, the term "governing body" shall have the same meaning as set forth in Code Section 50-18-99.

(b) Video recordings from law enforcement body-worn devices or devices located on or inside of law enforcement vehicles shall be retained for 180 days from the date of such recording except:

(1) If such recording is part of a criminal investigation, shows a vehicular accident, shows the detainment or arrest of an individual, or shows a law enforcement officer's use of force, it shall be retained for 30 months from the date of such recording; and

(2) If such recording contains evidence that is or can reasonably be anticipated to be necessary for pending litigation, it shall be retained for 30 months from the date of such recording, and if litigation is commenced during such period it shall be retained until a final adjudication of such litigation.

(c) The retention periods described in this Code section are de minimis.

(d) This Code section shall not require the destruction of such video recording after the required retention period.

(e) Any video recording destroyed pursuant to the retention schedule provided in this Code section shall be deemed to have been properly destroyed, and no evidentiary presumption shall be made that such recording was harmful to the governing body or any law enforcement officer depicted in such recording.

(f) A governing body or law enforcement officer shall not have a duty to redact or obscure people, objects, or information that appear in a video recording from any law enforcement body-worn device or device located on or inside of a law enforcement vehicle, nor shall such body or officer have any civil liability for such depiction.

(g) Notwithstanding fees imposed pursuant to Article 4 of this chapter, an additional fee of \$10.00 shall be imposed for the copying of video recordings from law enforcement body-worn devices or devices located on or inside of a law enforcement vehicle.

History:

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Added by 2016 Ga. Laws 599,§2, eff. 7/1/2016.