

REFERENCE TITLE: **peace officers; cameras; disclosures; recordings**

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

## **HB 4092**

Introduced by  
Representative Cavero

AN ACT

AMENDING TITLE 38, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4; RELATING TO LAW ENFORCEMENT OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 38, chapter 8, Arizona Revised Statutes, is  
3 amended by adding article 4, to read:

4 ARTICLE 4. LAW ENFORCEMENT OFFICER CAMERAS AND RECORDINGS

5 38-1181. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "CONTACT":

8 (a) MEANS AN INTERACTION THAT IS WITH AN INDIVIDUAL WHO IS EITHER  
9 INSIDE OR OUTSIDE OF A MOTOR VEHICLE AND THAT IS INITIATED BY A PEACE  
10 OFFICER, WHETHER CONSENSUAL OR NONCONSENSUAL, TO ENFORCE A LAW OR FOR  
11 INVESTIGATING A POSSIBLE VIOLATION OF A LAW.

12 (b) DOES NOT INCLUDE ROUTINE INTERACTIONS WITH THE PUBLIC AT THE  
13 POINT OF ENTRY OR EXIT FROM A CONTROLLED AREA.

14 2. "PHYSICAL FORCE" MEANS USING PHYSICAL TECHNIQUES OR TACTICS,  
15 CHEMICAL AGENTS OR WEAPONS AGAINST ANOTHER INDIVIDUAL.

16 3. "TAMPER" MEANS TO INTENTIONALLY DAMAGE, DISABLE, DISLODGE OR  
17 OBSTRUCT THE SIGHT OR SOUND OR OTHERWISE IMPAIR FUNCTIONALITY OF A  
18 BODY-WORN CAMERA OR TO INTENTIONALLY DAMAGE, DELETE OR FAIL TO UPLOAD SOME  
19 OR ALL PORTIONS OF THE VIDEO AND AUDIO OF A BODY-WORN CAMERA.

20 38-1182. Peace officers; cameras; incident recording  
21 requirements; exceptions; presumptions;  
22 certification suspension or revocation; retention  
23 schedule; privacy interests; filing deadlines;  
24 notice

25 A. ON OR BEFORE JULY 1, 2028, EACH LOCAL LAW ENFORCEMENT AGENCY IN  
26 THIS STATE AND THE DEPARTMENT OF PUBLIC SAFETY SHALL PROVIDE A BODY-WORN  
27 CAMERA FOR EACH PEACE OFFICER WHO IS EMPLOYED BY THE LAW ENFORCEMENT  
28 AGENCY OR THE DEPARTMENT OF PUBLIC SAFETY AND WHO HAS CONTACT WITH THE  
29 PUBLIC.

30 B. EXCEPT AS PROVIDED IN SUBSECTION C, D OR E OF THIS SECTION, A  
31 PEACE OFFICER SHALL WEAR AND ACTIVATE A BODY-WORN CAMERA, OR ACTIVATE A  
32 DASH CAMERA IF THE PEACE OFFICER'S VEHICLE IS EQUIPPED WITH A DASH CAMERA,  
33 WHEN RESPONDING TO A CALL FOR SERVICE OR DURING ANY CONTACT WITH THE  
34 PUBLIC.

35 C. A PEACE OFFICER MAY TURN OFF A BODY-WORN OR DASH CAMERA:

36 1. TO AVOID RECORDING PERSONAL INFORMATION THAT IS NOT RELATED TO A  
37 CASE.

38 2. WHEN WORKING ON AN UNRELATED ASSIGNMENT.

39 3. WHEN THERE IS A LONG BREAK IN THE INCIDENT OR CONTACT THAT IS  
40 NOT RELATED TO THE INITIAL INCIDENT.

41 4. IN AN ADMINISTRATIVE, TACTICAL OR MANAGEMENT DISCUSSION THAT IS  
42 NOT RELATED TO THE INITIAL INCIDENT.

43 D. A PEACE OFFICER IS NOT REQUIRED TO WEAR OR ACTIVATE A BODY-WORN  
44 CAMERA IF THE PEACE OFFICER IS WORKING UNDERCOVER OR IN A COURT ROOM.

1 E. THIS SECTION DOES NOT APPLY TO A PEACE OFFICER OR THE STAFF WHO  
2 WORK IN THE JAIL OF A LOCAL LAW ENFORCEMENT AGENCY IF THE JAIL HAS VIDEO  
3 CAMERAS EXCEPT IF PERFORMING A TASK THAT REQUIRES THE ANTICIPATED USE OF  
4 PHYSICAL FORCE, INCLUDING DURING A CELL EXTRACTION OR IF USING A RESTRAINT  
5 CHAIR.

6 F. IF A PEACE OFFICER FAILS TO ACTIVATE A BODY-WORN CAMERA OR DASH  
7 CAMERA WHEN REQUIRED BY THIS SECTION, OR TAMPERS WITH BODY-WORN CAMERA OR  
8 DASH CAMERA FOOTAGE OR OPERATION WHEN REQUIRED TO ACTIVATE THE CAMERA,  
9 THERE IS A PERMISSIVE INFERENCE AGAINST THE PEACE OFFICER IN ANY  
10 INVESTIGATION OR LEGAL PROCEEDING, NOT INCLUDING CRIMINAL PROCEEDINGS,  
11 THAT THE MISSING FOOTAGE WOULD HAVE REFLECTED MISCONDUCT BY THE PEACE  
12 OFFICER. IF A PEACE OFFICER FAILS TO ACTIVATE OR REACTIVATE THE PEACE  
13 OFFICER'S BODY-WORN CAMERA WHEN REQUIRED BY THIS SECTION, OR TAMPERS WITH  
14 BODY-WORN CAMERA OR DASH CAMERA FOOTAGE OR OPERATION WHEN REQUIRED TO  
15 ACTIVATE THE CAMERA, ANY STATEMENT THAT IS SOUGHT TO BE INTRODUCED IN A  
16 PROSECUTION THROUGH THE PEACE OFFICER THAT IS RELATED TO THE INCIDENT AND  
17 THAT WAS NOT RECORDED BECAUSE THE PEACE OFFICER FAILED TO ACTIVATE OR  
18 REACTIVATE THE BODY-WORN CAMERA AS REQUIRED BY THIS SECTION, OR IF THE  
19 STATEMENT WAS NOT RECORDED BY OTHER MEANS, CREATES A REBUTTABLE  
20 PRESUMPTION OF INADMISSIBILITY. NOTWITHSTANDING ANY OTHER LAW, THIS  
21 SUBSECTION DOES NOT APPLY IF THE BODY-WORN CAMERA OR DASH CAMERA WAS NOT  
22 ACTIVATED DUE TO A MALFUNCTION OF THE BODY-WORN CAMERA OR DASH CAMERA AND  
23 THE PEACE OFFICER WAS NOT AWARE OF THE MALFUNCTION, OR WAS UNABLE TO  
24 RECTIFY IT, BEFORE THE INCIDENT IF THE LAW ENFORCEMENT AGENCY'S OR THE  
25 DEPARTMENT OF PUBLIC SAFETY'S DOCUMENTATION SHOWS THE PEACE OFFICER  
26 CHECKED THE FUNCTIONALITY OF THE BODY-WORN CAMERA OR DASH CAMERA AT THE  
27 BEGINNING OF THE PEACE OFFICER'S SHIFT.

28 G. IN ADDITION TO ANY CRIMINAL LIABILITY OR OTHER PENALTY UNDER THE  
29 LAW, IF A COURT, ADMINISTRATIVE LAW JUDGE, HEARING OFFICER OR FINAL  
30 DECISION IN AN INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER  
31 INTENTIONALLY FAILED TO ACTIVATE A BODY-WORN CAMERA OR DASH CAMERA OR  
32 TAMPERS WITH A BODY-WORN CAMERA OR DASH CAMERA, EXCEPT AS ALLOWED IN THIS  
33 SECTION, THE PEACE OFFICER'S EMPLOYER SHALL IMPOSE DISCIPLINE UP TO AND  
34 INCLUDING TERMINATION TO THE EXTENT ALLOWED BY THE APPLICABLE  
35 CONSTITUTIONAL AND STATUTORY PERSONNEL LAWS AND CASE LAW.

36 H. IN ADDITION TO ANY CRIMINAL LIABILITY OR OTHER PENALTY UNDER THE  
37 LAW, IF A COURT, ADMINISTRATIVE LAW JUDGE, HEARING OFFICER OR FINAL  
38 DECISION IN AN INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER  
39 INTENTIONALLY FAILED TO ACTIVATE A BODY-WORN CAMERA OR DASH CAMERA OR  
40 TAMPERS WITH A BODY-WORN CAMERA OR DASH CAMERA, EXCEPT AS ALLOWED IN THIS  
41 SECTION, WITH THE INTENT TO CONCEAL UNLAWFUL OR INAPPROPRIATE ACTIONS OR  
42 OBSTRUCT JUSTICE, THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD  
43 SHALL SUSPEND THE PEACE OFFICER'S CERTIFICATION FOR AT LEAST ONE YEAR. A  
44 SUSPENSION PURSUANT TO THIS SUBSECTION MAY BE LIFTED WITHIN THE PERIOD OF  
45 THE SUSPENSION ONLY IF THE PEACE OFFICER IS EXONERATED BY A COURT.

1 I. IN ADDITION TO ANY CRIMINAL LIABILITY OR OTHER PENALTY UNDER THE  
2 LAW, IF A COURT, ADMINISTRATIVE LAW JUDGE, HEARING OFFICER OR FINAL  
3 DECISION IN AN INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER  
4 INTENTIONALLY FAILED TO ACTIVATE A BODY-WORN CAMERA OR DASH CAMERA OR  
5 TAMPERED WITH A BODY-WORN CAMERA OR DASH CAMERA, EXCEPT AS ALLOWED IN THIS  
6 SECTION, WITH THE INTENT TO CONCEAL UNLAWFUL OR INAPPROPRIATE ACTIONS OR  
7 OBSTRUCT JUSTICE IN AN INCIDENT THAT RESULTS IN A CIVILIAN DEATH, THE  
8 ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD SHALL PERMANENTLY  
9 REVOKE THE PEACE OFFICER'S CERTIFICATION. A REVOCATION PURSUANT TO THIS  
10 SUBSECTION MAY BE OVERTURNED ONLY IF THE PEACE OFFICER IS EXONERATED BY A  
11 COURT.

12 J. A LOCAL LAW ENFORCEMENT AGENCY AND THE DEPARTMENT OF PUBLIC  
13 SAFETY SHALL ESTABLISH AND FOLLOW A RETENTION SCHEDULE FOR BODY-WORN  
14 CAMERA AND DASH CAMERA RECORDINGS THAT COMPLIES WITH THE RULES AND  
15 DIRECTIONS ADOPTED BY THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC  
16 RECORDS.

17 K. FOR ANY INCIDENT THAT INVOLVES A COMPLAINT OF PEACE OFFICER  
18 MISCONDUCT BY ANOTHER PEACE OFFICER, A CIVILIAN OR A NONPROFIT  
19 ORGANIZATION, THROUGH NOTICE TO THE LAW ENFORCEMENT AGENCY INVOLVED IN THE  
20 ALLEGED MISCONDUCT, THE LOCAL LAW ENFORCEMENT AGENCY OR THE DEPARTMENT OF  
21 PUBLIC SAFETY SHALL RELEASE ALL UNEDITED VIDEO AND AUDIO RECORDINGS OF THE  
22 INCIDENT, INCLUDING RECORDINGS MADE FROM BODY-WORN CAMERAS, DASH CAMERAS  
23 OR OTHERWISE COLLECTED THROUGH INVESTIGATION, TO THE PUBLIC WITHIN  
24 TWENTY-ONE DAYS AFTER THE LOCAL LAW ENFORCEMENT AGENCY OR THE DEPARTMENT  
25 OF PUBLIC SAFETY RECEIVES THE COMPLAINT OF MISCONDUCT.

26 L. ALL VIDEO AND AUDIO RECORDINGS THAT DEPICT A DEATH CAUSED BY A  
27 PEACE OFFICER MUST BE PROVIDED ON REQUEST TO THE VICTIM'S SPOUSE, PARENT,  
28 LEGAL GUARDIAN, CHILD, SIBLING, GRANDPARENT, GRANDCHILD, SIGNIFICANT OTHER  
29 OR OTHER LAWFUL REPRESENTATIVE AND THE REQUESTING PERSON SHALL BE NOTIFIED  
30 OF THE PERSON'S RIGHT TO RECEIVE AND REVIEW THE RECORDING AT LEAST  
31 SEVENTY-TWO HOURS BEFORE PUBLIC DISCLOSURE OF THE VIDEO OR AUDIO  
32 RECORDING.

33 M. NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION, ANY VIDEO  
34 RECORDING THAT RAISES A SUBSTANTIAL PRIVACY INTEREST FOR A CRIMINAL  
35 DEFENDANT, A VICTIM, A WITNESS, A JUVENILE OR AN INFORMANT, INCLUDING A  
36 VIDEO RECORDING THAT DEPICTS ANY OF THE FOLLOWING, SHALL BE REDACTED OR  
37 BLURRED TO PROTECT THE SUBSTANTIAL PRIVACY INTEREST WHILE STILL ALLOWING  
38 PUBLIC RELEASE:

- 39 1. NUDITY.
- 40 2. A SEXUAL ASSAULT.
- 41 3. A MEDICAL EMERGENCY.
- 42 4. ANY PRIVATE MEDICAL INFORMATION.
- 43 5. A MENTAL HEALTH CRISIS.
- 44 6. A VICTIM INTERVIEW.

1           7. A MINOR, INCLUDING ANY IMAGES OR INFORMATION THAT MIGHT  
2 UNDERMINE THE REQUIREMENT TO KEEP CERTAIN JUVENILE RECORDS CONFIDENTIAL.

3           8. ANY PERSONAL INFORMATION OTHER THAN THE NAME OF ANY PERSON NOT  
4 ARRESTED, CITED, CHARGED OR ISSUED A WRITTEN WARNING, INCLUDING A  
5 GOVERNMENT-ISSUED IDENTIFICATION NUMBER, DATE OF BIRTH, ADDRESS OR  
6 FINANCIAL INFORMATION.

7           9. SIGNIFICANTLY EXPLICIT AND GRUESOME BODILY INJURY, UNLESS THE  
8 INJURY WAS CAUSED BY A PEACE OFFICER.

9           10. THE INTERIOR OF A HOME OR TREATMENT FACILITY.

10           N. UNREDACTED FOOTAGE MAY NOT BE RELEASED WITHOUT THE WRITTEN  
11 AUTHORIZATION OF THE VICTIM OR, IF THE VICTIM IS DECEASED OR  
12 INCAPACITATED, THE WRITTEN AUTHORIZATION OF THE VICTIM'S NEXT OF KIN. A  
13 PERSON WHO IS SEVENTEEN YEARS OF AGE OR YOUNGER IS CONSIDERED  
14 INCAPACITATED UNLESS LEGALLY EMANCIPATED.

15           O. IF REDACTION OR BLURRING IS INSUFFICIENT TO PROTECT THE  
16 SUBSTANTIAL PRIVACY INTEREST, THE LOCAL LAW ENFORCEMENT AGENCY OR THE  
17 DEPARTMENT OF PUBLIC SAFETY, ON REQUEST, SHALL RELEASE THE VIDEO TO THE  
18 VICTIM OR, IF THE VICTIM IS DECEASED OR INCAPACITATED, TO THE VICTIM'S  
19 SPOUSE, PARENT, LEGAL GUARDIAN, CHILD, SIBLING, GRANDPARENT, GRANDCHILD OR  
20 SIGNIFICANT OTHER OR OTHER LAWFUL REPRESENTATIVE WITHIN TWENTY DAYS AFTER  
21 RECEIPT OF THE COMPLAINT OF MISCONDUCT. IN CASES IN WHICH THE RECORDING  
22 IS NOT RELEASED TO THE PUBLIC PURSUANT TO THIS SUBSECTION, THE LOCAL LAW  
23 ENFORCEMENT AGENCY OR THE DEPARTMENT OF PUBLIC SAFETY SHALL NOTIFY THE  
24 PERSON WHOSE PRIVACY INTEREST IS IMPLICATED, IF CONTACT INFORMATION IS  
25 KNOWN, WITHIN TWENTY DAYS AFTER RECEIPT OF THE COMPLAINT OF MISCONDUCT AND  
26 INFORM THE PERSON OF THE PERSON'S RIGHT TO WAIVE THE PRIVACY INTEREST.

27           P. A WITNESS, VICTIM OR CRIMINAL DEFENDANT MAY WAIVE IN WRITING THE  
28 INDIVIDUAL PRIVACY INTEREST THAT MAY BE IMPLICATED BY A PUBLIC RELEASE OF  
29 THE RECORDING. ON RECEIPT OF A WRITTEN WAIVER OF THE APPLICABLE PRIVACY  
30 INTEREST, ACCOMPANIED BY A REQUEST FOR RELEASE, THE LAW ENFORCEMENT AGENCY  
31 OR THE DEPARTMENT OF PUBLIC SAFETY MAY NOT REDACT OR WITHHOLD RELEASE TO  
32 PROTECT THAT PRIVACY INTEREST.

33           Q. ANY VIDEO RECORDING THAT WOULD SUBSTANTIALLY INTERFERE WITH OR  
34 JEOPARDIZE AN ACTIVE OR ONGOING INVESTIGATION MAY BE WITHHELD FROM THE  
35 PUBLIC, EXCEPT THAT THE VIDEO RECORDING SHALL BE RELEASED NOT LATER THAN  
36 FORTY-FIVE DAYS AFTER THE DATE OF THE MISCONDUCT ALLEGATION. IF RELEASE  
37 OF A VIDEO RECORDING IS DELAYED PURSUANT TO THIS SUBSECTION, THE  
38 PROSECUTING ATTORNEY SHALL PREPARE A WRITTEN EXPLANATION OF THE  
39 INTERFERENCE OR JEOPARDY THAT JUSTIFIES THE DELAYED RELEASE,  
40 CONTEMPORANEOUS WITH THE REFUSAL TO RELEASE THE VIDEO RECORDING. ON  
41 RELEASE OF THE VIDEO RECORDING, THE PROSECUTING ATTORNEY SHALL RELEASE THE  
42 WRITTEN EXPLANATION TO THE PUBLIC.

43           R. IF CRIMINAL CHARGES HAVE BEEN FILED AGAINST A PARTY TO THE  
44 INCIDENT AND THAT PARTY WISHES TO FILE A CONSTITUTIONAL OBJECTION TO THE  
45 RELEASE OF THE VIDEO RECORDING IN THE PENDING CRIMINAL CASE, THAT PARTY

1 MUST FILE THE OBJECTION BEFORE THE TWENTY-ONE-DAY PERIOD EXPIRES. ONLY IN  
2 CASES IN WHICH THERE IS A PENDING CRIMINAL INVESTIGATION OR PROSECUTION OF  
3 A PARTY TO THE INCIDENT, THE TWENTY-ONE-DAY PERIOD BEGINS FROM THE DATE OF  
4 APPOINTMENT OF COUNSEL, THE FILING OF AN ENTRY OF APPEARANCE BY COUNSEL OR  
5 THE ELECTION TO PROCEED PRO SE BY THE DEFENDANT IN THE CRIMINAL  
6 PROSECUTION MADE ON THE RECORD BEFORE A JUDGE. IF THE DEFENDANT ELECTS TO  
7 PROCEED PRO SE IN THE CRIMINAL CASE, THE COURT SHALL ADVISE THE DEFENDANT  
8 OF THE TWENTY-ONE-DAY DEADLINE FOR THE DEFENDANT TO FILE ANY  
9 CONSTITUTIONAL OBJECTION TO THE RELEASE OF THE VIDEO RECORDING IN THE  
10 PENDING CRIMINAL CASE AS PART OF THE COURT'S ADVISEMENT. THE COURT SHALL  
11 HOLD A HEARING ON ANY OBJECTION NOT LATER THAN SEVEN DAYS AFTER IT IS  
12 FILED AND ISSUE A RULING NOT LATER THAN THREE DAYS AFTER THE HEARING.

13 Sec. 2. Effective date

14 This act is effective from and after December 31, 2026.