

Chairman Roy and members of the Criminal Justice & Public Safety committee,

I am writing to express my strong opposition to HB 1587, which would mandate that all police body-worn camera (BWC) footage be subject to the state's Right-to-Know law under RSA 91-A. While I fully support transparency and accountability in law enforcement, this bill overlooks critical privacy protections embedded in current law and would have severe unintended consequences for New Hampshire residents, particularly in sensitive and private settings.

I am a retired law enforcement officer with 30 years of full-time experience. I now work part-time for a local police agency, where I have managed the body-worn camera program for the past four years.

The current framework under RSA 91-A:5, X—as amended by prior legislation such as HB 1584 (2016)—reflects a deliberate legislative intent to balance public access with the protection of individual privacy. Specifically, BWC recordings are exempt from disclosure except in limited circumstances, such as depictions of restraint or use of force, discharge of a firearm, or encounters resulting in a felony-level arrest—and even then, only if the footage does not constitute an invasion of privacy or fall under other exemptions. This structure was designed to promote officer accountability in high-stakes situations while safeguarding the confidentiality of everyday interactions that occur in private spaces. The legislative history, including discussions around RSA 105-D (governing BWC use) and RSA 570-A (addressing recording consents), underscores this intent: to prevent the unwarranted release of footage that could expose vulnerable individuals or intrude into personal matters without compromising public oversight of police actions.

HB1587 would dismantle these safeguards by subjecting all BWC footage to blanket disclosure under Right-to-Know requests. This change would directly invade the privacy of homeowners, where officers often enter residences for welfare checks, medical emergencies, or routine calls. Footage captured inside a private home could reveal intimate details of family life, medical conditions, or personal belongings, violating the sanctity of one's home, a fundamental right protected under both state and federal law. Moreover, this bill poses significant

risks to victims of domestic violence and sexual assault. Even though the bill calls for redacted versions of video evidence, interviews or interactions with these individuals frequently occur in confidential settings where trust is paramount for effective policing and victim support. Releasing such footage could deter victims from coming forward, re-traumatize them through public exposure, and undermine the very investigations we conduct to protect them. The current exemptions recognize these vulnerabilities, ensuring that privacy invasions are avoided unless absolutely necessary for accountability.

In my experience, BWCs are invaluable tools for de-escalation, evidence collection, and building community trust. However, mandating access to all footage would erode that trust by turning private citizen-police encounters into public spectacles. It could also burden law enforcement agencies with voluminous requests, diverting resources from core duties without commensurate public benefit.

Redacting and processing RSA 91-A requests for BWC footage is extremely time-consuming and costly. From my experience redacting body-worn camera videos for discovery, a single video can take hours to edit—both video and audio—depending on its length. For incidents involving multiple officers (e.g., 2–4), the total time multiplies significantly, adding many hours of staff work per request.

The most critical point: BWC programs are currently voluntary for police agencies. If this bill passes and makes footage broadly subject to public requests, most departments will likely discontinue their BWC programs due to the unsustainable burden (in both cost and time) of endless requests from anyone. We urge the committee to preserve the thoughtful balance struck in existing law and reject HB 1587. Thank you for considering this perspective.

Rep. Dennis Mannion (Rockingham-25, Salem)