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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS--AUDIO AND VIDEOS
OF PRIVATE PROPERTY--WARRANT REQUIRED

Introduced By: Representatives Place, Quattrocchi, and Newberry

Date Introduced: February 01, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-5 of the General Laws entitled "Search Warrants" is hereby
2 amended by adding thereto the following section:

3 **12-5-11. Audio and video recording of private property prohibited.**

4 (a) It shall be unlawful for any law enforcement officer or peace officer as defined in § 12-
5 27-21, to place on or near the private property of another, any audio or video recording device(s)
6 to capture, generate, preserve or otherwise document the activities on that person's property without
7 their consent or without a valid search warrant issued by a neutral and detached magistrate or judge
8 upon a finding of probable cause.

9 (b) Any audio or video evidence generated in violation of subsection (a) of this section
10 shall be inadmissible in any criminal or civil proceeding filed against the property owner and/or
11 their tenants or guests.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS--AUDIO AND VIDEOS
OF PRIVATE PROPERTY--WARRANT REQUIRED

1 This act would require law enforcement to obtain consent or a warrant before placing audio
2 or video recorders on or near the private property of another. A violation of this act would make
3 any evidence inadmissible in any court proceedings.

4 This act would take effect upon passage.

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