

SENATE THIRD READING

SB 691 (Wahab)

As Amended May 26, 2026

Majority vote

SUMMARY

Requires a law enforcement agency that has a body-worn camera policy to update that policy to include a procedure for emergency service personnel to request the redaction of specified recordings of a patient receiving certain medical treatment from emergency service personnel.

Major Provisions

- 1) Requires each law enforcement agency that has a body-worn camera policy, on or before July 1, 2027, to update that policy to include a procedure for emergency service personnel to request, prior to any public release, the redaction of evidentiary and non-evidentiary recordings of a patient undergoing medical or psychological evaluation, procedure, or treatment (MPE) by emergency service personnel, and specifies that such redaction may include blurring patient care and muting audio.
- 2) Specifies that this bill shall not be construed to limit the protections of the Confidentiality of Medical Information Act, or the federal Health Insurance Portability and Accountability Act of 1996, or to create a new obligation on law enforcement personnel to render aid.
- 3) Requires an unredacted copy of redacted MPE body-worn camera recordings to be maintained consistent with the policies and procedures developed for the implementation and operation of body camera-worn systems by the law enforcement agency.
- 4) Establishes Legislative intent to support the protection of patient privacy while the patient is receiving MPE from emergency service personnel, and to support emergency service personnel in taking reasonable efforts to safeguard patients' protected health information.
- 5) Expands the Legislature's intent to establish policies and procedures related to the downloading and storage of data from body-worn cameras by peace officers to include recordings of such data.

COMMENTS**According to the Author**

"Emergency Medical Technicians (EMTs) and paramedics are responsible for the total care of their patient until they are transferred to a higher level of care at a medical facility. When this care takes place in the presence of law enforcement officers, who are required to wear body-worn cameras that are actively recording, it can raise concerns about the Health Insurance Portability and Accountability Act (HIPAA) violations and general patient privacy.

"Knowing they are being recorded by law enforcement can impact patients' willingness to fully cooperate with medics, compromising the safety of the patient as well as first responders. SB 691 will require law enforcement agencies to update their body camera policies to include a process

for emergency medical services professionals to request redaction of any video recorded of a patient undergoing a medical evaluation prior to the video being made public."

Arguments in Support

According to the *California Professional Firefighters*, the sponsor of this bill, "Due to the nature of emergency medical services, this care may take place in any location or scenario, both private and public, and may potentially have interaction with law enforcement officers. While EMS personnel are attending the scene of an automobile accident, assisting someone experiencing a medical emergency, or responding to transport a patient experiencing a behavioral health crisis, the presence of law enforcement personnel on those scenes means that body-worn cameras will often be recording the medical assessment and treatment interactions. These recordings raise serious privacy concerns for patients, potential impacts on patient willingness to fully cooperate with medics on scene, and may even complicate the working relationship between public safety officers.

"As a covered provider under HIPAA, EMTs and paramedics are responsible for taking reasonable action to protect their patients' private health information until the transfer of their care. The possibility of private medical information being recorded can potentially make it less likely that life-saving information is shared while in the presence of body-worn cameras. The confidential nature of the relationship between patient and medical provider allows for patients to feel comfortable divulging sensitive information with the knowledge that it will remain with their provider and be used only for their treatment. While the chaotic nature of an emergency medical scene may not be as strictly private as a medical examination room, that foundational trust of confidentiality remains, a confidentiality that is shattered by an ever-present recording device.

"Currently, local jurisdictions may have policies regarding the use of body-worn cameras, but they may not necessarily address the recording of a patient undergoing a medical or psychological evaluation or treatment. SB 691 will provide directions to local jurisdictions to update their policies to establish a procedure for emergency personnel to request the redaction of footage of medical and behavioral health treatment and evaluation before it is released to the public.

"Body-worn cameras provide protection for both civilians and law enforcement officers alike, creating a record of interactions and ensuring accountability and transparency on all sides. While these goals should be preserved, it is also true that video recordings may, in certain circumstances, present a violation of the privacy of individuals in distress. Patients in an emergency medical setting often have reduced or no capability to consent to such recordings, and once recordings have been received and stored by the law enforcement agency there is no recourse for preventing them from potentially being released to the public."

Arguments in Opposition

According to the *Los Angeles County Professional Peace Officers Association*, SB 691 "sets a precedent that moves too far in restricting officer discretion over body-worn camera use in dynamic field settings. Body-worn cameras are a critical public safety and accountability tool. They protect the public, preserve evidence, document officer conduct, and often provide the most reliable record of rapidly unfolding incidents.

"Medical scenes are often unstable, emotionally charged, and closely tied to criminal investigations or use-of-force incidents. In those moments, officers must make quick decisions to

protect life, preserve evidence, and maintain scene security. SB 691 would inject ambiguity into those situations by requiring additional policy constraints around when recording should be limited, increasing the risk of second-guessing after the fact and undermining the value of body-worn camera footage as an objective record.

"While PPOA supports protecting patient dignity and privacy, existing law already allows agencies to adopt body-worn camera policies based on best practices. SB 691 unnecessarily mandates new restrictions instead of allowing local agencies to balance privacy, officer safety, evidentiary needs, and public accountability based on the realities their personnel face in the field."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Potentially reimbursable state-mandated local program costs (General Fund), likely minor, for local law enforcement agencies that have a BWC policy to perform the one-time update adding the required redaction-request procedure. Because the bill applies only to agencies that already maintain a BWC policy and the mandated activity is a one-time policy revision, these costs are likely minor; whether they rise to a reimbursable mandate is a determination for the Commission on State Mandates. To the extent the Commission finds a reimbursable mandate, costs would be General Fund.
- 2) Possible ongoing costs (General Fund/local) to process redaction requests and perform requested redactions. The bill requires agencies to establish a procedure for emergency service personnel to request redaction but does not require agencies to grant the request, and agencies already perform redactions under existing law so existing redaction infrastructure may absorb a share of the workload. Costs would be largely contingent on request volume and on each agency's discretionary decision whether to grant requests. To the extent the Commission finds a reimbursable mandate, costs would be General Fund.
- 3) Possible costs (General Fund) to state law enforcement agencies that maintain BWC policies to similarly update their policies, process requests, and defend against possible litigation. California Highway Patrol, for its part, reports minor and absorbable costs.

VOTES

SENATE FLOOR: 33-0-7

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Stern, Strickland, Umberg, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Alvarado-Gil, Choi, Hurtado, Niello, Ochoa Bogh, Smallwood-Cuevas, Valladares

ASM PUBLIC SAFETY: 8-0-1

YES: Schultz, Alanis, Hart, Haney, Harabedian, Lackey, Nguyen, Sharp-Collins

ABS, ABST OR NV: Ramos

ASM APPROPRIATIONS: 12-0-3

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta

ABS, ABST OR NV: Hoover, Dixon, Tangipa

UPDATED

VERSION: May 26, 2026

CONSULTANT: Ilan Zur / PUB. S. / (916) 319-3744

FN: 0003509