

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 239  
Judiciary

(Delegate Moon, *et al.*)

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Maryland Police Training and Standards Commission - Body-Worn Camera  
Policy

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This bill requires the Maryland Police Training and Standards Commission (MPTSC) to develop and publish online a policy for the issuance and use of a body-worn camera (BWC) by a law enforcement officer that addresses the use of a BWC by an off-duty law enforcement officer authorized or approved by a law enforcement agency to work secondary employment and who is in the uniform of the agency or identifiable as a law enforcement officer.

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Fiscal Summary

**State Effect:** None. The existing policy can be applied to on-duty and off-duty law enforcement officers as determined by the agency of the officer.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:** Chapters 128 and 129 of 2015 established the Commission Regarding the Implementation and Use of Body Cameras by Law Enforcement Officers. Through the examination of model policies and discussion, the commission compiled a list of best practices for BWCs and submitted a report to the General Assembly and the Police Training Commission (now known as MPTSC) in September 2015. The commission's [report](#) addresses (1) procedures for testing and operating equipment, including when BWCs must be activated and when their use is prohibited; (2) notification

responsibilities of law enforcement officers to individuals being recorded; (3) confidentiality and ownership of data; (4) procedures and requirements for data storage; (5) the review of recordings by parties in interest; and (6) the establishment of retention periods, the release of recordings as required by the Public Information Act, and the development of written policies for BWCs usage consistent with State law and regulations issued by MPTSC.

Pursuant to Chapters 128 and 129, MPTSC developed a policy for the issuance and use of BWCs by law enforcement officers, which incorporated the recommendations of the commission. MPTSC also published a [Body-worn Camera Procedural Reference Guide](#) that provides practical and detailed background information on BWCs as well as advisory language for use by law enforcement agencies.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel and Howard counties; City of Laurel; Department of General Services; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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