



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

**TO:** The Honorable William C. Smith, Jr., Chair and  
Members of the Judicial Proceedings Committee

**FROM:** Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

**DATE:** March 27, 2024

**RE:** **HB 1001 – Motor Vehicles - Automated Enforcement Programs - Privacy  
Protections**

**POSITION:** **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 1001**. As amended, this bill would prohibit state and local police agencies or other agencies that operate an automated enforcement program from using recorded images or other data from the program without a warrant, subpoena, or court order unless the data is accessed for traffic enforcement or needed under exigent circumstances.

Automated enforcement cameras play a crucial role in traffic safety. They are used to deter people from speeding, running red lights, passing stopped school buses, or other traffic safety purposes and to penalize those who violate those laws. The goal is to ensure the safety of all who use our roads be it pedestrians, drivers, or bicyclists.

These cameras are also powerful tools that enhance public safety and aid law enforcement in solving crimes. Police investigators may use camera recordings and data to identify suspects on the run, track their movements, and reconstruct events. This bill would unnecessarily complicate law enforcement's ability to review the data as part of a criminal investigation when necessary.

As amended, law enforcement would only be able to access images and data for law enforcement purposes without a warrant, subpoena, or court order under exigent circumstances. While these amendments attempt to address some of the concerns that were previously raised regarding access to images or data for investigative purposes, they don't address all the issues. In many cases, law enforcement agencies are the owners of the data, therefore outside of exigent circumstances, they would be subpoenaing themselves for the data. This would add an unnecessary step in the process and burden limited judicial resources with simple internal data sharing.

Accessing this data for investigations is not something law enforcement takes lightly. Officers are not scanning automated camera footage in hopes of catching people in the act or doing so in place of other investigative methods. Prohibiting the use of the camera recording images and data from law enforcement investigations unless there is a warrant, subpoena, court order, or exigent circumstances may jeopardize timely response to crime and place individuals at further risk. For these reasons, MCPA and MSA **OPPOSE HB 1001** and request an **UNFAVORABLE** committee report.

532 Baltimore Boulevard, Suite 308  
Westminster, Maryland 21157  
667-314-3216 / 667-314-3236