

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
 First Reader

Senate Bill 661 (Senator Sydnor)
 Judicial Proceedings

Public Safety - Law Enforcement - Use of Body-Worn Cameras

This bill alters and expands the application of existing provisions that require specified law enforcement agencies to require the use of a body-worn camera (BWC) by each law enforcement officer employed by the law enforcement agency who regularly interacts with members of the public as part of the law enforcement officer’s official duties. Under the bill, these law enforcement agencies must require the use of a BWC by each *sworn* law enforcement officer, *regardless of rank*, employed by the law enforcement agency *while the officer is in uniform, in public, and conducting law enforcement related duties*.

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$1.1 million in FY 2025; future years reflect annualization, inflation, and the elimination of one-time costs. Revenues are not affected.

| (in dollars) | FY 2025 | FY 2026 | FY 2027 | FY 2028 | FY 2029 |
|----------------|---------------|-------------|-------------|-------------|-------------|
| Revenues | \$0 | \$0 | \$0 | \$0 | \$0 |
| GF Expenditure | 1,062,300 | 217,600 | 224,700 | 232,000 | 239,700 |
| Net Effect | (\$1,062,300) | (\$217,600) | (\$224,700) | (\$232,000) | (\$239,700) |

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Expenditures for some counties increase, potentially significantly, to comply with the bill’s altered BWC requirements. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: Chapter 60 of 2021 requires the Department of State Police (DSP), the Anne Arundel County Police Department, the Howard County Police Department, and the Harford County Sheriff's Office to require the use of a BWC by each law enforcement officer employed by the law enforcement agency who regularly interacts with members of the public as part of the law enforcement officer's official duties, subject to the agency's policy on the use of BWCs. By July 1, 2025, a law enforcement agency of a county not mentioned above must meet these same requirements.

A BWC that possesses the requisite technological capability must automatically record and save at least 60 seconds of video footage immediately prior to the officer activating the record button on the device.

A law enforcement agency subject to BWC requirements must develop and maintain a written policy consistent with the policy published by the Maryland Police Training and Standards Commission for the use of BWCs. The policy must specify which law enforcement officers employed by the law enforcement agency are required to use BWCs. A law enforcement agency may not negate or alter any of the requirements or policies established in accordance with specified BWC-related provisions through collective bargaining.

State Expenditures: General fund expenditures for DSP increase by \$1,062,319 in fiscal 2025, which accounts for the bill's October 1, 2024 effective date. This estimate reflects the cost to purchase additional BWC equipment as well as the cost of hiring one technician and one administrative specialist to manage DSP's expanded BWC program and handle related Public Information Act requests. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. The information and assumptions used in calculating the estimate are stated below:

- according to DSP, approximately 358 additional law enforcement officers within DSP require BWCs, and the Office of the State Fire Marshal (OSFM) within DSP needs 45 BWCs, at a cost of \$2,200 per device;
- additional ongoing operating expenses are incurred for user management, licensing, and storage of BWC footage for OSFM; and
- one vehicle is needed for the technician to provide maintenance and support to officers using BWCs.

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|---|--------------------|
| Positions | 2.0 |
| Salaries and Fringe Benefits | \$120,946 |
| BWC Equipment | 886,600 |
| Automobile Purchase | 40,261 |
| Other Operating Expenses | <u>14,512</u> |
| Total FY 2025 State Expenditures | \$1,062,319 |

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses. To the extent that additional BWC maintenance and storage are needed, out-year expenditures increase further.

Local Expenditures: While some counties can comply with the bill’s expanded BWC requirements with existing resources, expenditures increase, potentially significantly, for other counties. Based on a limited survey of counties, the following information was gleaned regarding the anticipated costs to implement the bill:

- Baltimore City and Anne Arundel and Montgomery counties report that they can each handle the expanded BWC requirements with existing resources;
- Harford County estimates that costs total \$80,000 to purchase additional BWCs and storage but that existing staff can handle any additional administrative work;
- Talbot County reports the need to purchase 10 additional BWCs and that total costs (including licenses, fees, and storage) are estimated at \$18,000 annually; and
- the Maryland Association of Counties advises that the bill is expected to have a significant impact on several counties, as the current costs of BWC programs range from \$500,000 to \$10.0 million annually depending on the jurisdiction and size of the law enforcement agency.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 707 (Delegate Simmons, *et al.*) - Judiciary.

Information Source(s): Baltimore City; Anne Arundel, Harford, Montgomery, and Talbot counties; Maryland Association of Counties; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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js/lgc

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