

Department of Legislative Services
 Maryland General Assembly
 2010 Session

FISCAL AND POLICY NOTE

House Bill 1002 (Delegate Conaway)
 Judiciary

Baltimore City - Police Vehicles Engaged in Traffic Stops - Video Recording Systems

This bill requires, beginning October 1, 2011, a motor vehicle of a law enforcement agency with jurisdiction in Baltimore City to be equipped with an in-car video (ICV) recording system that activates simultaneously with the vehicle’s emergency lights and makes a video recording of any activity occurring immediately in front of the vehicle during a traffic stop. Video recordings must be retained by law enforcement agencies for a period of one year.

Fiscal Summary

State Effect: General fund, Transportation Trust Fund (TTF), special fund, and nonbudgeted expenditures may increase by about \$2.6 million in FY 2012 under the information and assumptions discussed below, for various State law enforcement agencies, including those of higher education institutions in Baltimore City, to equip patrol cars with ICV systems. Out-year expenditures include ongoing maintenance and personnel costs. Revenues are unaffected.

(in dollars)	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Revenues	\$0	\$0	\$0	\$0	\$0
GF/SF Exp.	0	2,641,500	226,800	264,000	301,300
Net Effect	\$0	(\$2,641,500)	(\$226,800)	(\$264,000)	(\$301,300)

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

Local Effect: Baltimore City expenditures may increase by about \$2.9 million in FY 2012 to equip local law enforcement agency patrol cars with ICV systems and for personnel and ancillary system costs. Revenues are unaffected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The bill defines a “law enforcement agency” by reference to a provision in the Public Safety Article, which includes the following agencies:

- the Department of State Police (DSP);
- the Police Department of Baltimore City;
- the Baltimore City School Police Force;
- the Baltimore City Watershed Police Force;
- the police department, bureau, or force of a county;
- the police department, bureau, or force of a municipal corporation;
- the office of the sheriff of a county;
- the police department, bureau, or force of a bicounty agency;
- the Maryland Transportation Authority Police;
- the police forces of the Department of Transportation;
- the police forces of the Department of Natural Resources;
- the Field Enforcement Bureau of the Comptroller's Office;
- the Housing Authority of Baltimore City Police Force;
- the Crofton Police Department;
- the police force of the Department of Health and Mental Hygiene;
- the police force of the Department of General Services;
- the police force of the Department of Labor, Licensing, and Regulation;
- the police forces of the University System of Maryland;
- the police force of Morgan State University;
- the office of State Fire Marshal;
- the Ocean Pines Police Department;
- the police force of the Baltimore City Community College; or
- the police force of the Hagerstown Community College.

However, the bill specifies that only law enforcement agencies that make traffic stops in Baltimore City must be equipped with ICV recording systems.

Current Law: A police officer may charge a person with a violation of the Maryland Vehicle Law and a traffic law or ordinance of any local authority, if the officer has probable cause to believe that the person has committed or is committing the violation. DSP is charged with enforcing the laws and ordinances of the State, counties, and municipal corporations as well as maintaining the safe and orderly flow of traffic on public streets and highways. DSP officers are expressly prohibited from enforcing the Maryland Vehicle Law in Baltimore City only. However, this prohibition does not prevent DSP officers from pursuing criminal suspects in Baltimore City or otherwise arresting a suspect when a crime is committed in the presence of the officer.

Background: ICV technology has been used on some DSP vehicles since 1999. In addition, the Montgomery County Police Department is currently planning to equip each of its marked patrol cars with ICV units. Several other states and large municipalities have used ICVs either full time or in pilot programs for over a decade. Reported benefits of ICV systems include deterrence of abuse by police officers and frivolous complaints by citizens against police officers, greater confidence in police departments through added transparency, and the potential for generation of additional evidence for use by the judicial system.

State Expenditures: General fund, TTF, special fund, and nonbudgeted expenditures may increase by about \$2.6 million in fiscal 2012 for various State law enforcement agencies with jurisdiction in Baltimore City to equip patrol cars with ICV systems. This estimate is based on the following information and assumptions:

- according to the Maryland Transportation Authority, 70 of its 270 cars must be equipped with ICV units;
- according to the Department of Natural Resources, all 230 of its patrol cars would be equipped with ICV units;
- according to the Department of General Services, 7 of its 9 patrol cars must be equipped with ICV units;
- according to the University System of Maryland, 10 patrol cars would be equipped with ICV units;
- although the exact number is unknown, it is assumed that Morgan State University would equip 18 patrol cars with ICV units, which represents half of its total number of sworn officers; and
- according to detailed cost data provided by DSP, the cost per ICV unit is \$5,748, with an average additional cost of about \$2,149 per unit, which comprises contractual maintenance, data storage, and other equipment costs.

Fiscal 2013 expenditures, also based on the cost estimate provided by DSP, are roughly 8.6% of fiscal 2012 expenditures and account for replacement equipment and maintenance contracts. Out-year expenditures beginning in fiscal 2014 reflect ongoing equipment and maintenance contract costs, increasing at a rate specified in the DSP cost estimate.

To the extent fewer vehicles are equipped with ICV units, particularly for the Department of Natural Resources, expenditures would be lower.

Local Expenditures: Baltimore City expenditures may increase by about \$2.9 million in fiscal 2012 to equip 368 patrol cars with an ICV unit and provide for the other equipment and technicians needed to implement the bill. Out-year costs are as follows: \$249,464 in fiscal 2013; and \$290,426 in fiscal 2014; \$331,521 in fiscal 2015. This estimate is based in part on the cost data provided by DSP.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General; Baltimore City Community College; Baltimore City; Department of Natural Resources; Department of General Services; Department of Health and Mental Hygiene; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of Labor, Licensing, and Regulation; Department of State Police; Morgan State University; Office of the Public Defender; State's Attorneys' Association; Maryland Department of Transportation; University System of Maryland; Department of Legislative Services

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