

HOUSE BILL 239

E4, L2

6lr1943

By: **Delegates Sydnor, Bromwell, Brooks, and Jalisi**

Introduced and read first time: January 25, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County Police Officers – Body–Worn Cameras**

3 FOR the purpose of requiring, on or before a certain date, the Baltimore County Police
4 Department to adopt policies and procedures for the use of body–worn cameras
5 consistent with certain policies developed by the Maryland Police Training
6 Commission and to issue body–worn cameras to law enforcement officers to use while
7 on duty; and generally relating to the Baltimore County Police Department.

8 BY repealing and reenacting, without amendments,

9 Article – Public Safety

10 Section 3–511

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2015 Supplement)

13 BY adding to

14 Article – Public Safety

15 Section 3–511.1

16 Annotated Code of Maryland

17 (2011 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Public Safety**

21 3–511.

22 On or before January 1, 2016, the Maryland Police Training Commission shall
23 develop and publish online a policy for the issuance and use of a body–worn camera by a
24 law enforcement officer that addresses:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) the testing of body-worn cameras to ensure adequate functioning;
- 2 (2) the procedure for the law enforcement officer to follow if the camera
3 fails to properly operate at the beginning of or during the law enforcement officer's shift;
- 4 (3) when recording is mandatory;
- 5 (4) when recording is prohibited;
- 6 (5) when recording is discretionary;
- 7 (6) when recording may require consent of a subject being recorded;
- 8 (7) when a recording may be ended;
- 9 (8) providing notice of recording;
- 10 (9) access to and confidentiality of recordings;
- 11 (10) the secure storage of data from a body-worn camera;
- 12 (11) review and use of recordings;
- 13 (12) retention of recordings;
- 14 (13) dissemination and release of recordings;
- 15 (14) consequences for violations of the agency's body-worn camera policy;
- 16 (15) notification requirements when another individual becomes a party to
17 the communication following the initial notification;
- 18 (16) specific protections for individuals when there is an expectation of
19 privacy in private or public places; and
- 20 (17) any additional issues determined to be relevant in the implementation
21 and use of body-worn cameras by law enforcement officers.

22 **3-511.1.**

23 **ON OR BEFORE JULY 1, 2016, THE BALTIMORE COUNTY POLICE**
24 **DEPARTMENT SHALL:**

- 25 (1) **ADOPT POLICIES AND PROCEDURES FOR THE USE OF BODY-WORN**
26 **CAMERAS CONSISTENT WITH THE POLICIES DEVELOPED BY THE MARYLAND POLICE**
27 **TRAINING COMMISSION UNDER § 3-511 OF THIS SUBTITLE; AND**

1 **(2) ISSUE BODY-WORN CAMERAS TO LAW ENFORCEMENT OFFICERS**
2 **TO USE WHILE ON DUTY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
4 1, 2016.