

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 717
Judiciary

(Delegate J. Lewis, *et al.*)

Law Enforcement Body Camera Task Force

This bill establishes the Law Enforcement Body Camera Task Force. The task force must (1) study options for the economical storage of audio and video recordings made by law enforcement body-worn cameras (BWCs) and (2) make recommendations for storage considering the budgets of State, county, local, and campus law enforcement jurisdictions. The Department of Public Safety and Correctional Services (DPSCS) must provide staff for the task force. Task force members may not receive compensation but are entitled to reimbursement for expenses. The task force must report its findings and recommendations to the General Assembly by December 1, 2019. **The bill takes effect July 1, 2019, and terminates June 30, 2020.**

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for DPSCS are assumed to be minimal and absorbable within existing budgeted resources, as discussed below.

Local Effect: None.

Small Business Effect: None.

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 the Maryland Police Training and Standards Commission (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.

State Expenditures: DPSCS advises that if it provides staff for the task force with an existing employee, a contractual employee (at a cost of \$35,745 in fiscal 2020) is needed to assume the duties of the employee assigned to the task force. However, the Department of Legislative Services disagrees. The staffing duties required by the bill are not extensive, and DPSCS should be able to provide staff for the task force using existing budgeted resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services; Department of Legislative Services

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an/lgc

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