

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 152 (Delegate Crosby)
 Judiciary

Law Enforcement – Department of State Police – Body–Worn Cameras

This bill requires the Department of State Police (DSP), by January 1, 2022, to issue body-worn cameras (BWCs) for use by police employees while on duty. The requirement does not apply to police employees assigned to work in the Maryland State House. In addition, by January 1, 2022, DSP must adopt policies and procedures for the use of BWCs consistent with the policies developed by the Maryland Police Training and Standards Commission (MPTSC).

Fiscal Summary

State Effect: General fund expenditures increase by *at least* \$3.8 million in FY 2022. Future years reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	3,808,400	2,482,400	2,498,300	2,518,400	2,539,100
Net Effect	(\$3,808,400)	(\$2,482,400)	(\$2,498,300)	(\$2,518,400)	(\$2,539,100)

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

Local Effect: None.

Small Business Effect: Minimal or none.

Analysis

Current Law: 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 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 that 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: General fund expenditures for DSP increase by *at least* \$3.8 million in fiscal 2022 that accounts for the bill’s October 1, 2021 effective date. This estimate reflects the cost to purchase BWC equipment as well as the cost of hiring one lead technician, three technicians, and four administrative specialists to manage the BWC program and handle related requests. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	8
Salaries and Fringe Benefits	\$420,424
BWC Equipment and Training	3,322,095
Automobiles	62,000
Other Operating Expenses	<u>3,930</u>
Minimum FY 2022 State Expenditures	\$3,808,449

The information and assumptions used in calculating the estimate are stated below:

- BWCs must be issued no later than January 1, 2022, for use by police employees while on duty; however, DSP does not currently own or use BWCs.
- There are currently approximately 1,490 law enforcement officers within DSP that require BWCs, at a cost of approximately \$3.3 million (\$2,200 per device). Additional first-year operating costs for user management, licensing, and storage of BWC footage are estimated at \$3,375.
- DSP receives approximately 3,800 Public Information Act requests each year and anticipates a significant increase in such requests due to the use of BWCs.

- Two vehicles are needed for technicians to travel to provide maintenance and support to officers using BWCs.
- DSP can handle adoption of the required policies and procedures for the use of BWCs with existing resources.

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses. Also included are continued BWC user management and BWC storage costs. To the extent that additional BWC training, maintenance, and storage are needed, expenditures increase further; however, without actual experience using BWCs within the department, such costs cannot be reliably estimated and are not included in this estimate.

Additional Information

Prior Introductions: HB 128 of 2020, as similar bill, received a hearing in the House Judiciary Committee, but no further action was taken.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 4, 2021
rh/lgc

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