

Article - Criminal Procedure

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§2–502.

(a) Except as otherwise provided in this section, results generated by facial recognition technology may not be introduced in a criminal proceeding or in a delinquency proceeding under Title 3, Subtitle 8A of the Courts Article.

(b) (1) Subject to paragraph (2) of this subsection, results generated by facial recognition technology may be considered or introduced as evidence in connection with a criminal proceeding only for the purpose of establishing probable cause or positive identification:

- (i) in connection with the issuance of a warrant; or
- (ii) at a preliminary hearing.

(2) (i) Subject to subparagraph (ii) of this paragraph, results generated by facial recognition technology may not serve as the sole basis to establish probable cause or the positive identification of an individual in a criminal investigation or proceeding.

(ii) Probable cause or positive identification may be established using facial recognition technology only if the results are supported by additional, independently obtained evidence establishing probable cause or a positive identification.

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