



THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

BILL: Senate Bill 71 - Police Officers - Testimony - Presumption of Inadmissibility (Maryland Police Accountability Act of 2021)

SPONSOR: Senator Sydnor

HEARING DATE: January 21, 2021

COMMITTEE: Judicial Proceedings

CONTACT: Intergovernmental Affairs Office, 301-780-8411

POSITION: SUPPORT

The Office of the Prince George's County Executive **SUPPORTS Senate Bill 71 - Criminal Procedure - Police Officers - Duty to Report Misconduct (Maryland Police Accountability Act)** which provides that knowing and willful failure by a police officer to activate a body-worn camera creates a rebuttable presumption that any testimony from the officer that is sought during a criminal prosecution related to the incident that was not recorded is inadmissible. The bill allows for the presumption to be rebutted by a showing that:

- The body-worn camera was not activated due to a camera malfunction;
- The police officer was not aware of the malfunction or not able to fix it before the incident; and
- The law enforcement agency's documentation shows that the officer checked the camera's functionality at the beginning of their shift.

Body-worn cameras have become a key part of establishing and maintaining trust between law enforcement and the community in which they operate. By wearing such cameras, law enforcement signals to the community that they have nothing to hide in their interactions with the public. However, incidents have occurred where law enforcement officers have failed to turn on their body-worn camera during an incident where force is used, undercutting the accountability promised by body-worn cameras. **SB 71** will further provide an incentive to law enforcement officers to properly use body-worn cameras.

SB 71 also aligns with the recommendations of the Police Reform Work Group I convened last summer to study and review the policies within the Prince George's County Police Department (PGPD). One of the Work Group's final recommendations is for there to be improved access and operations of all PGPD cameras, including body-cameras. PGPD is in the process of supplying body-worn cameras, especially to patrol officers.

For these reasons, the Office of the Prince George's County Executive **SUPPORTS Senate Bill 71** and asks for a **FAVORABLE** report.