MARYLAND Association of COUNTIES

House Bill 187

Public Safety – Law Enforcement – Body–Worn Cameras

MACo Position: **OPPOSE**   To: Judiciary Committee

Date: February 9, 2021   From: Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** HB 187. The bill requires every law enforcement agency to equip officers with body worn cameras by October of 2021. Counties feel this timetable is too rushed for multiple reasons.

Body worn cameras offer a substantial advance in promoting accountability and safety in law enforcement. The trend toward their use is undeniable, in Maryland and elsewhere. Maryland, however, has two missing elements in a proper framework for a mandate such as that in HB 187, making its timetable unworkable.

First, Maryland's Public Information Act considered footage from body worn cameras to be a "document" open to public inspection. The proper redaction of footage is a far more laborious process than that for paper or electronic records. And this redaction – often required to preserve the privacy of victims, children, or informants – is of utmost importance. Without clearer, and balanced, guidance to custodians, the management of footage may prove to be a crippling responsibility.

Second, the storage and maintenance of footage from cameras is itself a daunting challenge. Requiring each agency to effectively launch its own self-contained program will surely yield unreasonable overhead costs. A state-led effort to offer an opt-in, collaborative means to manage this footage is a practical necessity.

Other legislation before the Committee this year propose the same goal as HB 187, but with a more workable timeline, at least affording a window to pursue these concerns. MACo encourages supporters of body camera usage to advocate for all these efforts to develop a sensible and effective program.

HB 187 rushes implementation of law enforcement technology, where Maryland has not yet settled its own laws and infrastructure for its effective use. Accordingly, MACo requests the Committee give HB 187 an **UNFAVORABLE** report.