



BILL NO: Senate Bill 31
TITLE: Public Information Act – Inspection of Records From Body–Worn Digital Recording Devices
COMMITTEE: Judiciary
HEARING DATE: March 22, 2022
POSITION: **SUPPORT**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue a favorable report on SB 31.**

Senate Bill 31 addresses the viewing and release of body-worn camera (hereinafter “BWC”) footage in a limited number of cases including those related to domestic violence and sexual assault. With the proliferation of BWCs it is critical that laws and policies are developed to protect victims who are documented during these incredibly vulnerable moments when they have summoned the courage to seek assistance from law enforcement. SB 31 protects the constitutional rights of all parties by affirmatively stating that the BWC footage can be admitted into evidence and be used in civil and criminal proceedings while balancing the need for victim privacy and safety.

Senate Bill 31 incorporates the recommendations from the 2015 Commission Regarding the Implementation and Use of Body Cameras by Law Enforcement Officers in Maryland.¹ This bill is also consistent with policy considerations generated from national experts during the International Association of Chiefs of Police 2017 National Forum on Body-Worn Cameras and Violence Against Women.² The ACLU also supports BWC policies that offer special protections to crime victims, especially victims of rape, abuse, and other sensitive crimes.³

For victims of domestic violence to develop trust and confidence in law enforcement it is important for them to know that the BWC recordings will not simply be released to the accused or the public. MNADV supports the use of body-worn cameras. However, there is distrust between victims of domestic violence and law enforcement contributing to an overwhelming number of incidents of domestic violence going unreported. In a 2015 survey, 88% of victims of domestic violence or sexual assault reported that police

¹ <https://goccp.maryland.gov/wp-content/uploads/body-cameras-commission-final-report.pdf>

² <https://www.theiacp.org/sites/default/files/all/b/IACP%20Body%20Worn%20Camera%20Victim%20Consideration%20Brochure.pdf>

³ <https://www.aclu.org/other/police-body-mounted-cameras-right-policies-place-win-all>



“sometimes” or “often” do not believe victims or blamed victims for the violence.⁴ In that same survey, 83% of the those surveyed thought police “sometimes” or “often” do not take allegations of sexual assault and domestic violence seriously. Over 80% believed that police-community relations with marginalized communities influenced survivors’ willingness to call the police. MNADV believes that the accountability and transparency created by the use of BWCs by law enforcement can help restore trust and confidence in law enforcement and SB 31 creates an important and necessary balance with how the footage can be viewed.

In addition to the distrust in law enforcement, domestic violence also goes unreported due to the private nature of the violence and the shame victims feel. Under SB 31, victims will be notified when there is a request to view the BWC footage and the images of the violence they have experienced will remain protected and confidential outside of any court proceedings.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 31.**

⁴ https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field_0.pdf

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