

TESTIMONY ON SB 40
Public Information Act - Inspection of Records From Body-Worn Digital Recording Devices
House Judiciary Committee
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SUPPORT

Submitted by: Lydia C. Watts, Executive Director, ROAR

The Rebuild, Overcome, and Rise (ROAR) Center at the University of Maryland, Baltimore strongly supports SB 40, which addresses the viewing and release of body-worn camera footage in a limited number of cases including those related to domestic violence and sexual crimes.

The Rebuild, Overcome, and Rise Center (ROAR) is a “one-stop-shop” in Baltimore City where survivors of crime can access a full range of wraparound legal, supportive social and nursing care, and mental health services. Research has shown that having multiple services under one roof provides the best outcomes for survivors, who are often managing myriad and complex needs (Curran, 2005). ROAR’s vision is to co-create with survivors a community in which people who experience crime or systemic injustice are empowered to achieve their own sense of justice, healing, and well-being. The attorneys at ROAR represent many survivors of intimate partner violence in a variety of legal proceedings and those survivors are often very worried that the footage from the body-worn camera will be seen by anyone. It was a harrowing and traumatic experience that caused them to call the police and they do not want others to witness them at that low moment.

Privacy and safety are serious concerns for victims of domestic violence and Senate Bill 40 is narrowly tailored to address the privacy and safety needs of victims. When police respond to a domestic violence incident with body-worn cameras on they may capture incredibly personal and intimate images that a victim does not want released to their abuser or the general public. In addition, when law enforcement responds to a domestic violence incident they may conduct a lethality assessment, assist in identifying a safe place for a victim to stay, connect them with a service provider, or obtain medical treatment for the victim. Releasing this information captured on body-worn cameras jeopardizes the safety and privacy of the victim. Domestic violence is already vastly underreported, Maryland must develop laws that protect the privacy and safety needs of victims when law enforcement responds to a call with body-worn cameras on.

With the proliferation of body-worn cameras 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. Senate Bill 40 protects the constitutional rights of all parties by affirmatively stating that the body-worn camera footage can be admitted into evidence and be used in civil and criminal proceedings. The bill also allows for the viewing of the footage while prohibiting copying it and requires victim notification of requests to view the footage. Senate Bill 40 strikes a careful balance between the limited circumstances when body-worn camera footage portraying a victim of domestic violence must be released and the crucial need for victim privacy and safety.

For the above stated reasons, **ROAR strongly urges a favorable report on SB 40.**