



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the House Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 25, 2025

RE: **HB 669 – Law Enforcement Officers – Body-Worn Cameras -Requirements**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE** HB 669 – Law Enforcement Officers – Body-Worn Cameras -Requirements.

MCPA and MSA fully support requiring body-worn cameras for all law enforcement agencies and supported legislation a few years ago to enact this requirement. This bill also required that law enforcement agencies adopt policies consistent with the Maryland Police Training and Standards Commission (MPTSC) policy and guidelines. The bill was enacted in this manner to ensure uniformity and that appropriate exemptions are made to the policies for undercover officers and other circumstances where it would not be appropriate for officers to use body-worn cameras.

HB 669 is taking a large part of the body-worn camera policy adopted by the MPTSC and incorporating it into statute. MCPA and MSA are concerned with this approach as it does not provide flexibility for policy changes throughout the year as technology evolves. Instead, legislation would be necessary for modifications. In addition, several requirements outlining use in certain situations are very rigid and would be better served through MPTSC discussions and adoption.

Further, MCPA and MSA have concerns with specific language in the bill.

Section (c)(15)(I), Page 9, Lines 8-17 Section (c)(15)(I) of House Bill 669 strictly limits supervisory personnel's ability to maintain high standards of professionalism and accountability within law enforcement. Our department, like many others, relies on periodic, random reviews of BWC footage to ensure officers adhere to policies, detect potential misconduct, and correct minor issues before they escalate. This proactive oversight is essential to sustaining public safety and trust. The provision, however, restricts the use of BWC recordings for disciplinary purposes to specific scenarios: a formal or informal misconduct complaint, a use-of-force incident, an internal investigation under Subtitle 1, or corroboration of existing misconduct evidence. These narrow conditions render random reviews ineffective as an enforcement tool, as supervisors cannot act on observed violations unless they fit these criteria. This limitation risks allowing substandard performance or minor policy breaches to persist until a significant incident occurs, potentially undermining community confidence in our agency. To preserve

effective supervision, we urge consideration of an amendment allowing BWC footage to support routine disciplinary actions identified through established review processes, not solely in reactive circumstances.

Supervisor Repair Requirement – Section (c)(16)(II), Page 9, Lines 27-29 of House Bill 669 requires supervisors to make “every reasonable effort” to correct and repair BWC equipment upon receiving notice of a problem. This provision is impractical and misaligned with operational needs. Supervisors are trained to oversee personnel and enforce guidance on policy, not to troubleshoot technical equipment. Requiring them to assume repair duties diverts their focus from critical supervisory responsibilities, potentially compromising oversight and public safety.

MPIA Provisions – This language on page 2, beginning with line 6 down through line 11 on page 3, requires consent of everyone captured in the body-worn camera footage. That may include unknown individuals inadvertently captured during an event. Law enforcement would not be able to seek consent from these individuals.

90 Day Retainage Period – The 90-day retainage period required in this bill is inconsistent with current storage and retainage policies. This shorter period fails to recognize that an individual may make a complaint about police misconduct without limitation. This could result in the destruction of video evidence that could prove/disprove the allegations. Also, civil litigation may be brought within 3 years and require retention beyond the statute of limitations. Finally, US DOJ investigations have a statute of limitation of 5 years. For all these reasons, premature destruction of video evidence is counterintuitive to transparency and accountability.

Use of Body Worn Camera Footage for Disciplining Officers – Page 9, lines 8 -17, states that a body-worn camera recording may not be used to discipline a law enforcement officer unless certain conditions are met. Often, violations of departmental policy do not involve a member of the public are discovered during periodic reviews. Prohibiting discipline for these internal policy violations inhibits management’s ability to maintain good order and accountability.

New Reporting Requirements – These provisions place new onerous requirements on law enforcement agencies when the information is already captured.

For these reasons, MCPA and MSA **OPPOSE HB 669** strongly urge an **UNFAVORABLE** report.