

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

Written testimony in favor with amendments

submitted by Prince George's County Maryland resident Peggy Higgins

I have been a Marylander for 50 years both in my career and residence. The last 33 years of have been in Prince George's County/Greenbelt.

I am in strong favorable support with amendments for this important legislation, House Bill 669: Body-Worn Cameras – Requirements.

Body-worn cameras have proven to be invaluable to both public safety officials and members of the public in providing a transparent, objective recording of police interactions with the public. This transparency is an important factor in building and sustaining trust among law enforcement and the community.

In providing state-wide requirements for the retention of a police officer's body-worn camera recordings, House Bill 669 provides important structure and consistency for all of us - officers, the police department and the community.

That said, I respectfully submit 3 amendments that would strengthen the value of this important bill.

- 1) Increase the retention of body worn camera recordings to be in alignment with statute of limitations for possible legal action.
- 2) Allow public access to body worn camera recordings with the bill's caveats about blurring identification of witnesses, victims or individuals not arrested.
- 3) Retention of the original full recording when there has been a redaction/modification of the original.

1. Increase retention of body-worn camera recordings to statute of limitations timeline.

HB 669 currently stipulates that body-worn camera recordings shall be retained for 90 days and then destroyed unless the recording is flagged for specific reasons listed in the bill.

Destroying body-worn camera recording within 90 days presumes that everything needed to know about an interaction is known within the 90 days of the recording. Yet lawsuits for personal injury, malicious prosecution, common law assault, etc. against an officer/department can be filed for several years after the incident. It is more suitable to use MD's statute of limitations of several years for filing a lawsuit as the timeline.

Retaining an objective record of the interaction until the statute of limitations has passed can not only assist individuals who believe their rights have been impinged but also protect the officer/the department facing the lawsuit.

Additionally, officers are first responders in domestic violence disputes that can exacerbate over time, resulting in serious injury or death. Retaining vital recordings of what was said by an alleged offender in

earlier exchanges with police can be helpful if the situation dissolves further resulting in prosecution of serious injury/death.

2. Allow public access to body worn camera recordings with the bill's caveats about blurring identification of witnesses, victims or individuals not arrested.

The bill currently states that “the custodian shall deny inspection of a recording made with the use of a body-worn camera of a law enforcement officer” except in certain circumstances. The prohibition of allowing the public to view recordings of officer interaction with members of the public does not take into consideration the public’s right to know and how valuable body-worn cameras have been in building/sustaining trust between law enforcement and the community, especially when controversy exists.

3. Retain the original full recording when there has been a redaction/modification of the original.

The need for a redaction/modification of a body-worn camera recording indicates that some additional attention is being given to a specific recording. Thus it is be important that the original be preserved in case it is needed as a reference.

I appreciate the opportunity to submit testimony and thank Chair Williams and the public safety sub-committee members for their service to the residents of Maryland.

Peggy Higgins