

HOUSE BILL 661

E4

6lr2582

By: **Delegate Conway**

Introduced and read first time: February 4, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement Officers – Firearm Cameras**

3 FOR the purpose of authorizing a law enforcement officer to use a certain firearm camera
4 to intercept a certain oral communication under certain circumstances; and
5 generally relating to law enforcement.

6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 10–402(c)(11)
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2015 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Courts and Judicial Proceedings**

14 10–402.

15 (c) (11) (i) 1. In this paragraph the following words have the meanings
16 indicated.

17 2. “Body–worn digital recording device” means a device worn
18 on the person of a law enforcement officer that is capable of recording video and intercepting
19 oral communications.

20 3. “Electronic control device” has the meaning stated in §
21 4–109 of the Criminal Law Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4. **“FIREARM” HAS THE MEANING STATED IN § 5-101 OF**
2 **THE PUBLIC SAFETY ARTICLE.**

3 5. **“FIREARM CAMERA” MEANS A DEVICE ATTACHED TO**
4 **A FIREARM THAT IS CAPABLE OF RECORDING VIDEO AND INTERCEPTING ORAL**
5 **COMMUNICATIONS.**

6 (ii) It is lawful under this subtitle for a law enforcement officer in
7 the course of the officer’s regular duty to intercept an oral communication with a
8 body-worn digital recording device, **A FIREARM CAMERA**, or an electronic control device
9 capable of recording video and oral communications if:

10 1. The law enforcement officer is in uniform or prominently
11 displaying the officer’s badge or other insignia;

12 2. The law enforcement officer is making reasonable efforts
13 to conform to standards in accordance with § 3-511 of the Public Safety Article for the use
14 of body-worn digital recording devices or electronic control devices capable of recording
15 video and oral communications;

16 3. The law enforcement officer is a party to the oral
17 communication;

18 4. Law enforcement notifies, as soon as is practicable, the
19 individual that the individual is being recorded, unless it is unsafe, impractical, or
20 impossible to do so; and

21 5. The oral interception is being made as part of a videotape
22 or digital recording.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2016.