

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 128
 Judiciary

(Delegate Crosby, *et al.*)

Law Enforcement - Department of State Police - Body-Worn Cameras

This bill requires the Department of State Police (DSP), by January 1, 2021, to issue body-worn cameras (BWCs) for use by police employees while on duty. Also, by January 1, 2021, DSP must adopt policies and procedures for the use of BWCs consistent with the policies developed by the Maryland Police Training and Standards Commission (MPTSC).

Fiscal Summary

State Effect: General fund expenditures increase by \$3.3 million in FY 2021. Future years reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	3,334,400	2,106,900	2,150,200	2,199,300	2,249,700
Net Effect	(\$3,334,400)	(\$2,106,900)	(\$2,150,200)	(\$2,199,300)	(\$2,249,700)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapters 128 and 129 of 2015 established the Commission Regarding the Implementation and Use of Body Cameras by Law Enforcement Officers. Through the examination of model policies and discussion, the commission compiled a list of best practices for BWCs and submitted a report to the General Assembly and the

Police Training Commission (now known as MPTSC) in September 2015. The commission's [report](#) addresses (1) procedures for testing and operating equipment, including when BWCs must be activated and when their use is prohibited; (2) notification responsibilities of law enforcement officers to individuals being recorded; (3) confidentiality and ownership of data; (4) procedures and requirements for data storage; (5) the review of recordings by parties in interest; and (6) the establishment of retention periods, the release of recordings as required by the Public Information Act, and the development of written policies for BWCs usage consistent with State law and regulations issued by MPTSC.

Pursuant to Chapters 128 and 129, MPTSC developed a policy for the issuance and use of BWCs by law enforcement officers, which incorporated the recommendations of the commission. MPTSC also published a [Body-worn Camera Procedural Reference Guide](#) that provides practical and detailed background information on BWCs as well as advisory language for use by law enforcement agencies.

State Expenditures: General fund expenditures for DSP increase by \$3,334,374 in fiscal 2021, which accounts for the bill's October 1, 2020 effective date. This estimate reflects the cost of hiring three certified network specialists to perform installation and maintenance of the BWCs and accompanying equipment and three administrative aides to handle compliance with Public Information Act (PIA) requests. It includes salaries, fringe benefits, one-time start-up costs, vehicles, BWC equipment, and ongoing operating expenses. The information and assumptions used in calculating the estimate are stated below:

- DSP currently uses in-car cameras; however, it does not own or use BWCs. DSP has 786 in-car cameras with a contract that can be expanded to include BWCs. Assuming that all sworn law enforcement officers within the department must be issued BWCs, DSP needs to purchase BWCs for 1,447 officers. There are 786 officers in the Field Operations Bureau (who all currently have in-car cameras) and 661 officers in others areas, including headquarters, investigations, and SWAT (none of whom currently have in-car cameras).
- The cost to purchase a BWC that works in conjunction with and under the same license as an existing in-car camera is \$1,910. The cost to purchase a BWC and license for an officer who does not have an in-car camera is \$2,110.
- With the additional equipment, DSP needs three certified network specialists to provide technical assistance for BWCs assigned to officers throughout the State. As each specialist will be required to travel to provide technical assistance and perform maintenance for BWCs in different locations, three cargo vans with appropriate equipment are needed.

- DSP receives approximately 2,700 PIA requests each year and advises that with BWCs, the number of requests will increase. In order to comply with a PIA request related to a BWC recording, someone must view each recording in its entirety and redact information (people, location, and vehicles) that is not able to be shared as part of the request. Although the BWC vendor provides redaction software as part of the contract for the BWCs, three administrative aides are needed to view the recordings, make decisions regarding redaction, and make copies for compliance with the requests.
- DSP can handle adoption of the required policies and procedures for the use of BWCs with existing resources.

Positions	6
BWC Equipment and Licensing	\$2,895,970
Salaries and Fringe Benefits	313,206
Cargo Vans	93,000
Other Operating Expenses	<u>32,198</u>
Total FY 2021 State Expenditures	\$3,334,374

Future year expenditures reflect full salaries with annual increases and employee turnover, BWC licensing contract costs, and ongoing operating expenses.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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mr/lgc

Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:
(410) 946-5510
(301) 970-5510