

**Department of Legislative Services**  
 Maryland General Assembly  
 2021 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 187 (Delegate Ivey)  
 Judiciary

**Public Safety – Law Enforcement – Body–Worn Cameras**

This bill requires, by October 1, 2021, all law enforcement agencies to (1) adopt policies and procedures for the use of body-worn cameras (BWC) consistent with the policies developed by the Maryland Police Training and Standards Commission (MPTSC) and (2) issue BWCs for all police officers to use while on duty.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by *at least* \$6.2 million in FY 2022, which only reflects costs for specified State agencies; future years reflect annualization and ongoing costs. State expenditures (multiple fund types) for other State agencies may also increase significantly, as discussed below. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	6,204,100	3,454,800	3,482,700	3,518,000	3,554,200
GF/SF Exp.	-	-	-	-	0
NonBud Exp.	-	-	-	-	0
Higher Ed Exp.	-	-	-	-	-
Net Effect	(-)	(-)	(-)	(-)	(-)

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

**Local Effect:** Potential significant increase in expenditures for local jurisdictions. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

## Analysis

**Current Law:** 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 increase by *at least* \$6.2 million in fiscal 2022, which accounts for the bill's October 1, 2021 effective date, for the Department of Public Safety and Correctional Services (DPSCS) and law enforcement units within other specified State agencies to implement the bill's provisions relating to training and BWCs. Future year expenditures are annualized and reflect ongoing costs. State expenditures (multiple fund types) for *other* State law enforcement agencies may also increase significantly but could not be quantified in time for inclusion in this fiscal and policy note.

### *Department of State Police*

General fund expenditures for the Department of State Police (DSP) increase by *at least* \$3.8 million in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost to purchase BWC equipment as well as the cost of hiring one lead technician, three technicians, and four administrative specialists to manage the BWC program and handle related requests. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	8
Salaries and Fringe Benefits	\$420,424
BWC Equipment and Training	3,322,095
Automobiles	62,000
Other Operating Expenses	<u>3,930</u>
<b>Minimum FY 2022 DSP Expenditures</b>	<b>\$3,808,449</b>

The information and assumptions used in calculating the estimate are stated below:

- Two vehicles are needed for technicians to travel to provide maintenance and support to officers using BWCs.
- There are currently approximately 1,490 law enforcement officers within DSP that require BWCs, at a cost of approximately \$3.3 million (\$2,200 per device). Additional first year operating costs for user management, licensing, and storage of BWC footage are estimated at \$3,375.

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses. Also included are continued BWC user management and BWC storage costs. To the extent that additional BWC training, maintenance, and storage are needed, expenditures increase further; however, without actual experience using BWCs within the department, such costs cannot be reliably estimated and are not included in this estimate.

*Department of Public Safety and Correctional Services*

General fund expenditures for DPSCS increase by *at least* \$1.1 million in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost to purchase BWC equipment as well as the cost of hiring two administrators to modify police training curricula and to track compliance and annually audit the increased training required under the bill. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2
Salaries and Fringe Benefits	\$111,485
BWC Equipment and Training	955,190
Other Operating Expenses	<u>11,163</u>
<b>Minimum FY 2022 DPSCS Expenditures</b>	<b>\$1,077,838</b>

The information and assumptions used in calculating the estimate are stated below:

- There are currently approximately 82 law enforcement officers within DPSCS that require BWCs, at an estimated cost of \$195,350 (\$2,200 per device and 10 centralized charging stations at a cost of \$1,495 each).
- Additional first-year operating costs for user management and storage of BWC footage are estimated at \$759,840; DPSCS advises that it must establish a storage area network for this purpose.

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses; also included are continued BWC user management and BWC storage costs. To the extent that additional BWC training, maintenance, and storage are needed, expenditures increase further; however, without actual experience using BWCs within the department, such costs cannot be reliably estimated and are not included in this estimate.

#### *Natural Resources Police*

General fund expenditures (or possibly a combination of general and special fund expenditures) for the Natural Resources Police (NRP) within the Department of Natural Resources increase by *at least* \$1.1 million in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost to purchase BWC equipment as well as the cost of hiring two technicians and two administrative aides to manage the BWC program and handle associated requests. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	4
Salaries and Fringe Benefits	\$204,315
BWC Equipment and Training	850,950
Automobiles	62,000
Other Operating Expenses	<u>22,325</u>
<b>Minimum FY 2022 NRP Expenditures</b>	<b>\$1,139,590</b>

The information and assumptions used in calculating the estimate are stated below:

- Two vehicles are needed for technicians to travel to provide maintenance and support to officers using BWCs.
- There are currently approximately 279 law enforcement officers within NRP that require BWCs, at a cost of \$613,800 (\$2,200 per device). Additional first-year operating costs for user management, licensing, and storage of BWC footage are estimated at \$237,150.

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses. Also included are continued BWC user management and BWC storage costs. To the extent that additional BWC training, maintenance, and storage are needed, expenditures increase further; however, without actual experience using BWCs within the department, such costs cannot be reliably estimated and are not included in this estimate.

#### *Department of General Services*

General fund expenditures for the Department of General Services increase by *at least* \$178,200 in fiscal 2022. This estimate reflects the cost of purchasing BWCs for 81 law enforcement officers at a cost of \$2,200 per BWC. This estimate does not include costs for additional staff, training, maintenance, user management, licensing, or data storage. To the extent that additional staff and/or BWC training, maintenance, and storage are needed in fiscal 2022 and in future years, expenditures increase further. However, without actual experience using BWCs within the department, such costs cannot be reliably estimated and are not included in this estimate.

#### *Other State Law Enforcement Agencies*

Other State agencies with law enforcement units are also affected. For example, the Maryland Department of Transportation, the University System of Maryland, and Morgan State University anticipate costs to purchase BWCs and implement a BWC program. As a result, State expenditures (multiple fund types) may increase significantly beginning in fiscal 2022.

**Local Expenditures:** Although several local jurisdictions currently operate BWC programs, to the extent that local jurisdictions must purchase BWCs and implement a BWC program as a result of this bill, local expenditures increase, potentially significantly.

Baltimore City and Howard, Montgomery, Prince George's, and Wicomico counties advise that BWC programs are currently operational and budgeted within their respective jurisdictions. Other local jurisdictions, however, anticipate the following costs to purchase BWCs in accordance with the bill:

- Harford County estimates that initial costs to implement the bill total \$843,000 in fiscal 2022, with significant ongoing costs in future years.
- Talbot County estimates that costs for BWC purchases, licenses, and storage total \$38,200 in fiscal 2022.

- The City of Frostburg estimates that costs for BWC purchases and storage total \$17,000 in fiscal 2022.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Baltimore City; Harford, Montgomery, Prince George's, Talbot, and Wicomico counties; City of Frostburg; Baltimore City Community College; University System of Maryland; Morgan State University; Department of General Services; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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