

SENATE BILL 556

E4

2lr1423
CF HB 591

By: **Senators Sydnor and Jackson**

Introduced and read first time: January 31, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement Agencies – Body-Worn Cameras**

3 FOR the purpose of requiring certain law enforcement agencies, on or before a certain date,
4 to require the use of body-worn cameras by certain law enforcement officers, subject
5 to certain policies; and generally relating to law enforcement agencies and
6 body-worn cameras.

7 BY repealing and reenacting, with amendments,

8 Article – Public Safety

9 Section 3–511

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2021 Supplement)

12 (As enacted by Chapter 60 of the Acts of the General Assembly of 2021)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 3–511.

17 (a) In this section, “law enforcement agency” has the meaning stated in § 3–201
18 of this title.

19 (b) On or before January 1, 2016, the Maryland Police Training and Standards
20 Commission shall develop and publish online a policy for the issuance and use of a
21 body-worn camera by a law enforcement officer that addresses:

22 (1) the testing of body-worn cameras to ensure adequate functioning;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) the procedure for the law enforcement officer to follow if the camera
2 fails to properly operate at the beginning of or during the law enforcement officer's shift;

3 (3) when recording is mandatory;

4 (4) when recording is prohibited;

5 (5) when recording is discretionary;

6 (6) when recording may require consent of a subject being recorded;

7 (7) when a recording may be ended;

8 (8) providing notice of recording;

9 (9) access to and confidentiality of recordings;

10 (10) the secure storage of data from a body-worn camera;

11 (11) review and use of recordings;

12 (12) retention of recordings;

13 (13) dissemination and release of recordings;

14 (14) consequences for violations of the agency's body-worn camera policy;

15 (15) notification requirements when another individual becomes a party to
16 the communication following the initial notification;

17 (16) specific protections for individuals when there is an expectation of
18 privacy in private or public places; and

19 (17) any additional issues determined to be relevant in the implementation
20 and use of body-worn cameras by law enforcement officers.

21 (c) (1) (i) This paragraph applies to:

22 1. the Department of State Police;

23 2. the Anne Arundel County Police Department;

24 3. the Howard County Police Department; and

25 4. the Harford County Sheriff's Office.

1 (ii) On or before July 1, 2023, a law enforcement agency to which this
2 paragraph applies shall require the use of body–worn cameras, subject to the policy on the
3 use of body–worn cameras developed by the law enforcement agency, by each law
4 enforcement officer employed by the law enforcement agency who regularly interacts with
5 members of the public as part of the law enforcement officer’s official duties.

6 (2) On or before July 1, 2025, a law enforcement agency [of a county], other
7 than a law enforcement agency described in paragraph (1) of this subsection, shall require
8 the use of body–worn cameras, subject to the policy on the use of body–worn cameras
9 developed by the law enforcement agency, by each law enforcement officer employed by the
10 law enforcement agency who regularly interacts with members of the public as part of the
11 law enforcement officer’s official duties.

12 (d) (1) A law enforcement agency described in subsection (c) of this section
13 shall develop and maintain a written policy consistent with the policy published by the
14 Maryland Police Training and Standards Commission under subsection (b) of this section
15 for the use of body–worn cameras.

16 (2) A policy developed and maintained under paragraph (1) of this
17 subsection shall specify which law enforcement officers employed by the law enforcement
18 agency are required to use body–worn cameras.

19 (e) A body–worn camera that possesses the requisite technological capability
20 shall automatically record and save at least 60 seconds of video footage immediately prior
21 to the officer activating the record button on the device.

22 (f) A law enforcement agency may not negate or alter any of the requirements or
23 policies established in accordance with this section through collective bargaining.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2022, the effective date of Section 1 of Chapter 60 of the Acts of the General Assembly of
26 2021. If the effective date of Section 1 of Chapter 60 is amended, this Act shall take effect
27 on the taking effect of Section 1 of Chapter 60.