



BILL NO: House Bill 162
TITLE: Public Safety - Law Enforcement - Body-Worn Cameras
COMMITTEE: Judiciary
HEARING DATE: March 1, 2022
POSITION: **SUPPORT WITH AMENDMENTS**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue a favorable report with amendments on HB 162.**

HB 162 addresses many aspects of the use of body-worn cameras by law enforcement including contracts for equipment, storage of footage, and costs of equipment. The bill also specifies that the Maryland Police Training and Standards Commission must develop and publish online a policy for the disclosure of body-worn camera recordings to the public. The policy shall consider several factors including individual privacy. MNADV supports the bill with an **amendment that prohibits the release of body-worn camera footage depicting a victim or information that could identify a victim of domestic violence or sexual assault.** This amendment achieves an important balance between policy transparency, police accountability, and victim privacy. The amendment should also **require victim consent prior to any release of a body-worn camera footage to a third party outside the scope of a criminal or civil legal proceeding and notice of all requests for the video footage.**

The ACLU states that “[i]t is vital that public confidence in the integrity of body camera privacy protections be maintained. We don't want crime victims to be afraid to call for help because of fears that video of their officer interactions will become public or reach the wrong party. Confidence can only be created if good policies are put in place and backed up by good technology.”¹ Restrictions on the release of body-worn camera footage depicting victims of domestic violence and sexual assault are consistent with the recommendations from the 2015 Commission Regarding the Implementation and Use of Body Cameras by Law Enforcement Officers in Maryland.² It is also consistent with policy considerations generated from national

¹ https://www.aclu.org/sites/default/files/field_document/police_body-mounted_cameras-v2.pdf

² <https://goccp.maryland.gov/wp-content/uploads/body-cameras-commission-final-report.pdf>

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experts during the International Association of Chiefs of Police 2017 National Forum on Body-Worn Cameras and Violence Against Women.³

MNADV supports the use of body-worn cameras. There is distrust between victims of domestic violence and law enforcement contributing to an overwhelming number of incidents of domestic violence going unreported. In a 2015 survey, 88% of victims of domestic violence or sexual assault reported that police “sometimes” or “often” do not believe victims or blamed victims for the violence.⁴ In that same survey, 83% of the those surveyed thought police “sometimes” or “often” do not take allegations of sexual assault and domestic violence seriously. Over 80% believed that police-community relations with marginalized communities influenced survivors’ willingness to call the police. MNADV believes that the accountability and transparency created by the use of body-worn cameras by law enforcement can help restore trust and confidence in law enforcement.

For victims of domestic violence to develop trust and confidence in law enforcement it is also critical for them to know that the body-worn camera recordings will not simply be released to the accused or the public. Due to the expansion of the use of body-worn cameras it is imperative that policies and laws be established to protect victims whose images and victimization are recorded by body-worn cameras. This includes prohibiting the release of footage depicting victims of domestic violence and sexual assault except for releases required by law due to a criminal or civil court proceeding and victim notification when a request for the body-worn camera footage is requested.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with amendments on HB 162.**

³<https://www.theiacp.org/sites/default/files/all/b/IACP%20Body%20Worn%20Camera%20Victim%20Consideration%20Brochure.pdf>

⁴ https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field_0.pdf

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