

# **SB0661\_Law\_Enforcement\_Agencies\_Body-Worn\_Cameras\_**

Uploaded by: Aileen Alex

Position: FAV



**TESTIMONY FOR SB0661  
PUBLIC SAFETY - LAW ENFORCEMENT AGENCIES  
BODY-WORN CAMERAS**

**Bill Sponsor:** Senator Sydnor

**Committee:** Judicial Proceedings

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Aileen Alex, co-chair

**Position:** **FAVORABLE**

I am submitting this testimony in favor of SB0661 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Our Coalition is heavily in favor of having police use body-worn cameras. We believe that they are a necessary item and that all officers should wear them. We also believe that there should be procedures in place for the use of the cameras, as well as procedures for when recording is mandatory vs when it is discretionary.

Under a law passed during the 2021 General Assembly session, police agencies in Maryland are required to have on-duty officers wear cameras by July 1, 2025. SB0661 broadens the use of cameras to all law enforcement officers, regardless of rank, while the officer is in uniform and conducting law enforcement related duties.

BWCs are seen as a potential tool to improve police-community relations, reduce complaints and lawsuits, and enhance officer safety and performance. We believe that this is an important policy to implement more fully.

We support this bill and recommend a **FAVORABLE** report in committee.

# **SB 661 Final Testimony.pdf**

Uploaded by: Charles E. Sydnor III

Position: FAV

CHARLES E. SYDNOR III, ESQ.  
*Legislative District 44*  
Baltimore County

DEPUTY MAJORITY WHIP

Judicial Proceedings Committee  
Executive Nominations Committee

*Joint Committees*

Administrative, Executive, and  
Legislative Review

Children, Youth, and Families

Senate Chair, Legislative Ethics

*Chair*

Baltimore County Senate Delegation



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony for Senate Bill 661**  
**Public Safety– Law Enforcement– Use of Body-Worn Cameras**  
**February 21, 2024**

Good afternoon, Chair Smith, and members of the Judicial Proceedings Committee,

Seante Bill 661 (“SB 661”) is a minor, yet crucial change to our law. Current law requires each law enforcement officer who regularly interacts with members of the public as part of their official duties to use body-worn cameras (“BWC”). SB 661 alters the law slightly, requiring the use of BWCs by each law enforcement officer, regardless of rank, to use a BWC, while the officer is in uniform, in public, and conducting law enforcement related duties.

BWCs are vital tools for both law enforcement agencies and the public. “BWCs can be used for documentation purposes, to include interactions with victims, witnesses, and others during police-public encounters; arrests; and critical incidents.” BWCs provide a “clearly documented, firsthand, objective account of what was said[.]”<sup>1</sup> BWCs also present detailed, visual images that “can provide investigators, prosecutors, and juries with far more detailed, accurate, and compelling evidence.”<sup>2</sup> Further, BWCs provide ways for agencies to evaluate officer performance.<sup>3</sup> Thus, it is imperative to have all uniformed officers conducting law enforcement related duties in public to be required to use BWCs.

To Marylanders and law enforcement officers, I respectfully request a favorable report for SB 661.

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<sup>1</sup> International Association of Chiefs of Police, *Body-Worn Cameras*, at 2, (last visited Feb. 15, 2024), <https://www.theiacp.org/sites/default/files/2020-06/BWCs%20June%202020.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

**SB661 Testimony Updated 2-20-24.pdf**

Uploaded by: UM SWASC

Position: FAV

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**TESTIMONY IN SUPPORT OF BILL Senate Bill 661**  
**Public Safety – Law Enforcement – Use of Body Worn Cameras**  
*Judicial Proceedings Committee*  
**February 21, 2024**

**Social Work Advocates for Social Change strongly supports SB661**, which expands the mandated use of body-worn cameras (BWCs) by sworn law enforcement officers regardless of rank while in uniform, in public, and on duty. This legislation is a crucial step forward in enhancing transparency, accountability, and public trust in law enforcement agencies across our state.

**Body-worn cameras have become indispensable tools in modern law enforcement –** serving as an impartial witness to interactions between officers and civilians, providing a record of events that can protect both officers and the public. The presence of BWCs has been shown to de-escalate confrontations, reduce the use of force, and promote civility in police-citizen encounters. Prioritizing safety of both civilians and all police officers, 74% of Americans believe **BWCs policy protect both those who wear them and those who interact.**<sup>1</sup>

**By mandating the use of BWCs for all law enforcement officers, irrespective of their rank, SB661 ensures uniformity and consistency** in accountability measures. As citizens we hold police officers accountable, but this does not stop on the front lines. Every interaction between officers and the public should be subject to the same level of scrutiny, regardless of the officer's position within the department. The PEW Research Center found that, since 2016, the percentages of people who feel officers are being held accountable when misconduct occurs has declined from 44% to 31%<sup>2</sup>. Accountability must be held in the hands of not only the courts but of higher-ranking officers. **This consistency is necessary to rebuild and encourage trust between police and the public.**

**One of the most significant benefits of widespread BWC deployment is its positive impact on public trust.** When members of the community know that their interactions with law enforcement are being recorded, they are more likely to perceive these

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<sup>1</sup> Cato Institute. (2016). *Americans Overwhelmingly Support Equipping Police with Body Worn Cameras*. Cato.org. <https://www.cato.org/policing-in-america/chapter-4/police-body-cameras>

<sup>2</sup> Gilberstadt, H. (2020, July 9). *Majority of public favors giving civilians the power to sue police officers for misconduct*. Pew Research Center - U.S. Politics & Policy. <https://www.pewresearch.org/politics/2020/07/09/majority-of-public-favors-giving-civilians-the-power-to-sue-police-officers-for-misconduct/>



For more information, please contact  
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encounters as fair and just. The Public Administration Review journal studied the impact of using BWCs and desire for further investigation and found that on average, **civilians were 19.1% less likely to believe an internal investigation was required if BWCs were used at the time of the incident<sup>3</sup>.**

**Social Work Advocates for Social Change urges a favorable report on SB661.**

*Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.*

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<sup>3</sup> Wright, J. E., Gaozhao, D., & Houston, B. (2023). body-worn cameras and representation: What matters when evaluating police use of force? *Public Administration Review*. <https://doi.org/10.1111/puar.13746>

**MCPA - MSA SB 661-Use of Body Worn Cameras-SWA.pdf**

Uploaded by: Andrea Mansfield

Position: FWA





# Maryland Chiefs of Police Association Maryland Sheriffs' Association



## MEMORANDUM

TO: The Honorable William Smith Jr., Chair and  
Members of the Senate Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 21, 2024

RE: **SB 661 Public Safety – Law Enforcement – Use of Body-Worn Cameras**

POSITION: SUPPORT WITH AMENDMENTS

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT SB 661 WITH AMENDMENTS. This bill would require each sworn law enforcement officer, regardless of rank, to wear a body-worn camera while the officer is in uniform, in public, and while conducting law enforcement related duties.

MCPA and MSA fully support the use of body-worn cameras by law enforcement officers. However, both organizations are concerned about the broad nature of the bill. Command staff, many of whom do not currently wear body-worn cameras, would be required do so while in uniform, in public, and while conducting law enforcement related duties. These circumstances would include community meetings, conversations with constituents in the community, and testimony before public bodies. MCPA and MSA do not believe these are the types of situations the bill is trying to address and is therefore offering amendments to narrow the scope.

The amendments attached to this testimony define law enforcement encounter as “an encounter between an officer and a member of the public that is required to be recorded according to the policy on the use of body-worn cameras developed by the law enforcement agency.” The amendments then specify what types of encounters do not meet that definition to address the circumstances raised above. The amendments also give the option to the law enforcement agency to issue body-worn cameras to the agencies command staff or sworn officers who do not regularly engage in law enforcement encounters.

MCPA and MSA respectfully request the Committee issue a FAVORABLE report on SB 661 WITH AMENDMENTS.

**§ 3-511. Development and publication of policy for issuance and use of body-worn camera by law enforcement officer.**

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**(a)** In this section, **THE FOLLOWING WORDS HAVE THE MEANING INDICATED:**

**(1)** “law enforcement agency” has the meaning stated in § 3-201 of this title.

**(2) (i) “LAW ENFORCEMENT RELATED ENCOUNTER” MEANS AN ENCOUNTER BETWEEN AN OFFICER AND A MEMBER OF THE PUBLIC THAT IS REQUIRED TO BE RECORDED ACCORDING TO THE POLICY ON THE USE OF BODY-WORN CAMERAS DEVELOPED BY A LAW ENFORCEMENT AGENCY IN ACCORDANCE WITH SUBSECTION (d) OF THIS SECTION.**

**(ii) “LAW ENFORCEMENT RELATED ENCOUNTER” DOES NOT INCLUDE A CASUAL GREETING GIVEN TO THE PUBLIC, AN ENCOUNTER IN WHICH A MEMBER OF THE PUBLIC SEEKS INFORMATION SUCH AS DIRECTIONS OR OTHER GENERAL INFORMATION, OR ANY OTHER INTERACTION THAT IS NOT REQUIRED TO BE RECORDED ACCORDING TO THE POLICY ON THE USE OF BODY-WORN CAMEARS DEVELOPED BY A LAW ENFORCEMENT AGENCY IN ACCORDANCE WITH SUBSECTION (d) OF THIS SECTION.**

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

- (1)** the testing of body-worn cameras to ensure adequate functioning;
- (2)** the procedure for the law enforcement officer to follow if the camera fails to properly operate at the beginning of or during the law enforcement officer’s shift;
- (3)** when recording is mandatory;
- (4)** when recording is prohibited;
- (5)** when recording is discretionary;
- (6)** when recording may require consent of a subject being recorded;
- (7)** when a recording may be ended;
- (8)** providing notice of recording;
- (9)** access to and confidentiality of recordings;
- (10)** the secure storage of data from a body-worn camera;
- (11)** review and use of recordings;
- (12)** retention of recordings;
- (13)** dissemination and release of recordings;

- (14) consequences for violations of the agency's body-worn camera policy;
- (15) notification requirements when another individual becomes a party to the communication following the initial notification;
- (16) specific protections for individuals when there is an expectation of privacy in private or public places; and
- (17) any additional issues determined to be relevant in the implementation and use of body-worn cameras by law enforcement officers.

(c)

(1)

(i) This paragraph applies to:

1. the Department of State Police;
2. the Anne Arundel County Police Department;
3. the Howard County Police Department; and
4. the Harford County Sheriff's Office.

(ii) [On or before July 1, 2023, a] **A law enforcement agency to which this paragraph applies shall require the use of body-worn cameras, subject to the policy on the use of body-worn cameras developed by the law enforcement agency, by each **SWORN** law enforcement officer employed by the law enforcement agency [who regularly interacts with members of the public as part of the law enforcement officer's official duties] **WHILE THE OFFICER IS IN UNIFORM, IN PUBLIC, AND ~~CONDUCTING LAW ENFORCEMENT-RELATED DUTIES~~ ENGAGED IN A LAW ENFORCEMENT ENCOUNTER.****

(2) On or before July 1, 2025, a law enforcement agency of a county, other than a law enforcement agency described in paragraph (1) of this subsection, shall require the use of body-worn cameras, subject to the policy on the use of body-worn cameras developed by the law enforcement agency, by each **SWORN** law enforcement officer employed by the law enforcement agency [who regularly interacts with members of the public as part of the law enforcement officer's official duties] **WHILE THE OFFICER IS IN UNIFORM, IN PUBLIC, AND ~~CONDUCTING LAW ENFORCEMENT-RELATED DUTIES~~ ENGAGED IN A LAW ENFORCEMENT ENCOUNTER.**

**(3) THIS SUBSECTION DOES NOT REQUIRE A LAW ENFORCEMENT AGENCY TO, OR PROHIBIT A LAW ENFORCEMENT AGENCY FROM, ISSUING BODY-WORN CAMERAS TO SWORN MEMBERS OF THE AGENCY'S EXECUTIVE COMMAND STAFF OR SWORN OFFICERS WHO DO NOT REGULARLY ENGAGE IN LAW ENFORCEMENT ENCOUNTERS.**

(d)

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

- (2)** A policy developed and maintained under paragraph (1) of this subsection shall specify which law enforcement officers employed by the law enforcement agency are required to use body-worn cameras.
- (e)** A body-worn camera that possesses the requisite technological capability shall automatically record and save at least 60 seconds of video footage immediately prior to the officer activating the record button on the device.
- (f)** A law enforcement agency may not negate or alter any of the requirements or policies established in accordance with this section through collective bargaining.

# **SB 661- Public Safety - Law Enforcement - Use of B**

Uploaded by: Jane Krienke

Position: INFO



Maryland  
Hospital Association

February 21, 2024

To: The Honorable William C. Smith Jr., Chair, Senate Judicial Proceedings Committee

Re: Letter of Information - Senate Bill 661- Public Safety - Law Enforcement - Use of Body-Worn Cameras

Dear Chair Smith:

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment on Senate Bill 661.

MHA appreciates the state's diligence to develop policies and standards for body-worn cameras, including the Maryland Body-worn Camera Procedural Reference Guide, produced by the Maryland Police and Correctional Training Commission.<sup>1</sup>

The guide recognizes the importance of patient privacy when recording in hospitals, other medical facilities, and psychiatric facilities.

Recordings in a hospital can capture protected health information of people in law enforcement custody and other patients. The Health Insurance Portability and Accountability Act requires medical facilities to safeguard protected health information, including patients' names, biometric identifiers, and full-face photographic images and comparable images.

To properly protect patient information, hospitals need greater clarification and guidance on how officers—on duty and off—can use body cameras in their facilities and what protections are afforded to the recordings. This can be accomplished through policies released by each jurisdiction. As more jurisdictions develop these policies, they should consider what parameters and safeguards need to be in place when recording within hospitals and medical facilities.

Patients have a right to privacy in a hospital. It is imperative that hospitals safeguard these rights regardless of whether there is a law enforcement incident occurring in the same setting.

We appreciate the opportunity to provide information on SB 661.

For more information, please contact:  
Jane Krienke, Senior Legislative Analyst, Government Affairs  
Jkrienke@mhaonline.org

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<sup>1</sup> [Body-worn Camera Procedural Reference Guide.pdf \(mdle.net\)](#)

# Department of State Police Letter of Information S

Uploaded by: Joey Sybert

Position: INFO



**State of Maryland**  
**Department of State Police**  
Government Affairs Unit  
Annapolis Office (410) 260-6100

**POSITION ON PROPOSED LEGISLATION**

**DATE:** February 21, 2024  
**BILL NUMBER:** Senate Bill 661      **POSITION:** Letter of Information  
**BILL TITLE:** Public Safety – Law Enforcement – Use of Body-worn cameras

**REVIEW AND ANALYSIS**

This legislation requires every sworn officer, regardless of rank, to wear a body worn camera (BWC) while the officer is in uniform, in public, and conducting law enforcement related duties. The bill repeals “the law enforcement officer who regularly interacts with the public” standard for the wearing of a camera.

Under current law, the Department of State Police (DSP) was required to purchase body-worn cameras for each law enforcement officer who regularly interacts with the public as part of the law enforcement officer’s duties. DSP interpreted the language to include all Sergeants and below in the Field Operations Bureau, our SWAT team, and investigators. This requirement did not extend to sworn personnel in certain special divisions, such as the Licensing Division.

Senate Bill 661 creates an operational and financial burden on the DSP. Every sworn member is required to be prepared to be in uniform for any number of public events. Our command staff, that does not regularly interact with the public, but may be “in public”, will now be required to wear a body-worn camera and keep it on anytime they are in public, meeting with local or state leaders, or attending conferences or meeting with civic groups. This is a major policy change from the original law.

As noted in our cost analysis provided to the Department of Legislative Services, there is a major financial impact to our general fund budget. The DSP also expects an increase in PIA requests for the commander’s body-worn camera images to see the content of any meetings or discussions, that may be considered confidential.

The DSP supports the current body-worn camera law and has a robust body-worn camera program. DSP has deployed over 1,000 cameras.