

# HOUSE BILL 187

E4

11r0895

(PRE-FILED)

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By: **Delegate Ivey**

Requested: October 8, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of requiring, on or before a certain date, certain law enforcement agencies  
4 to adopt policies and procedures for the use of body-worn cameras consistent with  
5 certain policies developed by the Maryland Police Training and Standards  
6 Commission; requiring certain law enforcement agencies to issue body-worn  
7 cameras for certain police officers to use while on duty; making conforming changes;  
8 and generally relating to law enforcement and body-worn cameras.

9 BY repealing and reenacting, with amendments,  
10 Article – Public Safety  
11 Section 3–511  
12 Annotated Code of Maryland  
13 (2018 Replacement Volume and 2020 Supplement)

14 BY adding to  
15 Article – Public Safety  
16 Section 3–511.1  
17 Annotated Code of Maryland  
18 (2018 Replacement Volume and 2020 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – Public Safety**

22 3–511.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (2) the procedure for the [law enforcement] **POLICE** officer to follow if the  
6 camera fails to properly operate at the beginning of or during the [law enforcement]  
7 **POLICE** officer's shift;

8 (3) when recording is mandatory;

9 (4) when recording is prohibited;

10 (5) when recording is discretionary;

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

12 (7) when a recording may be ended;

13 (8) providing notice of recording;

14 (9) access to and confidentiality of recordings;

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

16 (11) review and use of recordings;

17 (12) retention of recordings;

18 (13) dissemination and release of recordings;

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

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

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

24 (17) any additional issues determined to be relevant in the implementation  
25 and use of body-worn cameras by [law enforcement] **POLICE** officers.

26 **3-511.1.**

1           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
2 **INDICATED.**

3                   **(2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §**  
4 **3–201 OF THIS TITLE.**

5                   **(3) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THIS**  
6 **TITLE.**

7           **(B) ON OR BEFORE OCTOBER 1, 2021, ALL LAW ENFORCEMENT AGENCIES**  
8 **SHALL:**

9                   **(1) ADOPT POLICIES AND PROCEDURES FOR THE USE OF BODY–WORN**  
10 **CAMERAS CONSISTENT WITH THE POLICIES DEVELOPED BY THE MARYLAND POLICE**  
11 **TRAINING AND STANDARDS COMMISSION UNDER § 3–511 OF THIS SUBTITLE; AND**

12                   **(2) ISSUE BODY–WORN CAMERAS FOR ALL POLICE OFFICERS TO USE**  
13 **WHILE ON DUTY.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2021.