



Department of Public Safety and Correctional Services

Maryland Police and Correctional Training Commissions

6852 4th Street • Sykesville • Maryland 21784

(410) 875-3400 • FAX (410) 875-3975 • V/TTY (800) 735-2258 • www.dpscs.state.md.us/agencies/mpctc.shtml

STATE OF MARYLAND

WES MOORE
GOVERNOR

ARUNA MILLER
LT. GOVERNOR

CAROLYN J. SCRUGGS
SECRETARY

CHRISTINA LENTZ
ACTING
DEPUTY SECRETARY
ADMINISTRATION

ANNIE D. HARVEY
ACTING
DEPUTY SECRETARY
OPERATIONS

VACANT
ASSISTANT SECRETARY

ALBERT L. LIEBNO, JR.
EXECUTIVE DIRECTOR

February 8, 2023

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
Annapolis, Maryland 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis, Maryland 21401

Re: Report required by Senate Bill 71/Ch. 60(2), 2021 (MSAR #13019)

Dear President Ferguson and Speaker Jones:

In July 2020, the Law Enforcement Body Camera (BWC) Task Force was formed by the General Assembly (HB739 Chapter 309, Acts of 2020). The Task Force was charged with studying economical methods for storing video and audio recordings made by police-worn body cameras. It also was to make recommendations that take into account the budgets of State, county, local and campus law enforcement agencies.

Legislative action under Senate Bill 71/Ch. 60(2), 2021 charged the Task Force to further study the implementation and the feasibility of requiring the use of body-worn cameras by police officers in counties and municipalities throughout the State, and making recommendations based on the study.

The Task Force consists of the below members, and is supported by the staff of the MD Police and Correctional Training Commissions (MPCTC).

Delegate Jazz Lewis, Chair
Senator Charles Sydnor, Vice-Chair
Delegate David Moon
Senator Justin Ready

Mr. Robert Bishop, MD Department of Information Technology
Chief Antonio DeVaul, Takoma Park Police, MD Chiefs of Police
Association

Mr. Ethan Hunt, Anne Arundel County Office of Law, MD
Association of Counties

Secretary Michael Leahy, MD Department of Information
Technology

Mayor Raymond Morriss, City of Cumberland, MD Municipal
League

Sheriff Doug Mullendore, Washington County Sheriff, MD Sheriffs' Association
Mr. Scott Nicewarner, Hagerstown City Administrator, MD Municipal League
Captain Michael Pilkerton, St. Mary's County Detention & Rehabilitation Center,
MD Correctional Administrators' Association
Councilmember Joseph Solomon, Hyattsville City Council, Prince George's County
Municipal Association
Major Phil Tou, University of Maryland Police, International Association of Campus Law
Enforcement Administrators

MPCTC Staff

Albert Liebno, Executive Director
Katie Johnson, Administrative Support

The Task Force met December 20, 2021 and December 8, 2022. A compilation of meeting minutes is provided as an appendix. Both meetings were held virtually, led by chair Delegate Jazz Lewis, and livestreamed for the public.

In the December 2021 meeting, members discussed the draft legislation submitted to the House, which was based on the Task Force's recommendations. The goal of the meeting was to make sure no key items were omitted from the 2022 draft bill. Members also discussed a statewide storage system and the need to have enough bandwidth for use of all agencies accessing it for various functions at the same time.

The BWC Task Force met again in December 2022. Delegate Lewis provided an overview of the BWC legislation proposed and rejected in the 2022 session, which required BWC equipment in all Maryland Law Enforcement agencies by 2025. It also tasked the Department of Information Technology (DoIT) and the Department of General Services (DGS) to negotiate and institute a statewide contract for BWC equipment, storage and services. Incorrect language assigned fiscal responsibility to the Department of Public Safety & Correctional Services (DPSCS), of which the funding projection was an astronomical estimate.

The 2023 bill removes DPSCS involvement since that Department does not employ officers who use BWC equipment. It also explains that agencies can opt-in or opt-out of the statewide contract, thereby reducing the financial projections, which assumed that all agencies would be using the contract. The 2023 bill also assigns the Police Training & Standards Commission (PTSC) the duty of researching statewide storage options for BWC footage.

Members discussed the lack of appetite for the startup costs for BWC implementation, and encouraged task force members to contact the new administration to explain the need for seed funding for agencies. They discussed the objection to providing seed funding to agencies was due to the belief that BWC programs should be a part of standard policing going forward and not state funded. It was noted that while larger agencies may have the budgetary capabilities, smaller agencies will need financial assistance in order to install BWC programs.

cc: Sarah Albert, Department of Legislative Services (5 copies)

APPENDIX

Compilation of BWC Task Force Meeting Minutes

These “minutes” are a synopsis of the Task Force’s discussion and decisions and not a verbatim rendering of the proceedings.

Law Enforcement Body Worn Camera Task Force *TELECONFERENCE* Minutes – 8th Meeting –December 20th, 2021

MEMBERS PRESENT

Delegate Jazz Lewis, Chair

Delegate David Moon

Senator Justin Ready

Mr. Robert Bishop for Secretary Michael Leahy, MD Department of Information Technology

Chief Antonio DeVaul, Takoma Park Police, MD Chiefs of Police Association (MCPA)

Mayor Raymond Morriss, City of Cumberland, MD Municipal League (MML)

Sheriff Doug Mullendore, Washington County Sheriff, MD Sheriffs' Association (MSA)

Mr. Scott Nicewarner, Hagerstown City Administrator, MD Municipal League (MML)

Major Phil Tou, University of Maryland Police, International Association of Campus Law Enforcement Administrators (IACLEA)

MEMBERS ABSENT

Senator Charles Sydnor, Vice-Chair

Captain Michael Pilkerton, St. Mary's County Detention & Rehabilitation Center, MD Correctional Administrators' Association (MCAA)

Councilmember Joseph Solomon, Hyattsville City Council, Prince George's County Municipal Association (PGCMA)

MPCTC STAFF PRESENT

Albert L. Liebno, Jr., Executive Director

Katie Johnson, Registrar

GUESTS

Jennifer Young, Maryland General Assembly, Department of Legislative Services

Henry Snurr, Delegate Lewis’ Office

D’Paul Dibber, MD Association of Counties

Lt. Michael Johnson, Howard County Police, representing MD Association of Counties

Michael Sanderson, MD Association of Counties

The 8th meeting of the Law Enforcement Body Worn Camera (BWC) Task Force was held via teleconference and livestreamed via Google Meets, and opened by the Chair, Delegate Jazz Lewis, shortly after 3:00pm.

Delegate Lewis stated there is a draft bill in the House based on the Task Force's recommendations. He said the goal of the meeting was to discuss the legislation to clarify any points and make sure no key items were omitted.

Delegate Lewis outlined the main points of the draft bill, which can be view here: [BWC Draft Bill](#)
He noted that vendors already employed by agencies for BWC technology would be grandfathered into the new bill.

Members discussed the new bill contradicting with Federal Task Force officers under the Department of Justice laws. They also discussed the small minority of task force members who work under the authority of multiple agencies, and which policy they would follow. Delegate Lewis made note that a task force officer should default to the policy of whichever agency is facilitating the task force, whether it be County, State or Federal.

Members noted that a statewide storage system would need to have enough bandwidth for use of all agencies accessing it for various functions at the same time.

Delegate Lewis said that members could email any additional thoughts to his office, since there is time before the legislative session starts.

The meeting adjourned at 3:19 p.m.

Law Enforcement Body Worn Camera Task Force ***TELECONFERENCE* Minutes – 9th Meeting –December 8th, 2022**

MEMBERS PRESENT

Delegate Jazz Lewis, Chair

Delegate David Moon

Mr. Robert Bishop for Secretary Michael Leahy, MD Department of Information Technology (DoIT)

Chief Antonio DeVaul, Takoma Park Police, MD Chiefs of Police Association (MCPA)

Mr. Ethan Hunt, Anne Arundel County Office of Law, MD Association of Counties (MACo)

Mayor Raymond Morriss, City of Cumberland, MD Municipal League (MML)

Mr. Scott Nicewarner, Hagerstown City Administrator, MD Municipal League (MML)

MEMBERS ABSENT

Senator Charles Sydnor, Vice-Chair

Senator Justin Ready

Sheriff Doug Mullendore, Washington County Sheriff, MD Sheriffs' Association (MSA)

Captain Michael Pilkerton, St. Mary's County Detention & Rehabilitation Center, MD Correctional Administrators' Association (MCAA)

Councilmember Joseph Solomon, Hyattsville City Council, Prince George's County Municipal Association (PGCMA)

Major Phil Tou, University of Maryland Police, International Association of Campus Law Enforcement Administrators (IACLEA)

MPCTC STAFF PRESENT

Albert L. Liebno, Jr., Executive Director
Katie Johnson, Recorder

GUESTS

Sam Jones, Legislative Aide for Senator Ready
Madelyn Miller, Maryland General Assembly, Department of Legislative Services
Sarah Sample, MD Association of Counties
Michael Sanderson, MD Association of Counties
Henry Snurr, Delegate Lewis' Office
Jennifer Young, Maryland General Assembly, Department of Legislative Services

The 9th meeting of the Law Enforcement Body Worn Camera (BWC) Task Force was held via teleconference and livestreamed via Google Meets, and opened by the Chair, Delegate Jazz Lewis, at 10:00am.

Delegate Lewis provided an overview of the BWC legislation proposed in the last session, and supplied a link to [House Bill 162](#). The bill required BWC equipment in all Maryland Law Enforcement agencies by 2025. It also tasked the Department of Information Technology (DoIT) and the Department of General Services (DGS) to negotiate and institute a statewide contract for BWC equipment, storage and services. Incorrect language assigned fiscal responsibility to the Department of Public Safety & Correctional Services (DPSCS), of which the funding projection was an astronomical estimate of \$82 million to start and \$13 million to annually maintain.

Delegate Lewis explained that this year's bill removes DPSCS involvement since that Department does not employ officers who use BWC equipment. It also explains that agencies can opt-in on the statewide contract, and aren't mandated to use the negotiated services. This should reduce the financial projections, which assumed that all agencies would be using the contract. The bill also assigns the Police Training & Standards Commission (PTSC) the duty of researching statewide storage options for BWC footage. At this time, some agencies have a working process for handling storage and redaction, while others are buried under the weight of data.

Delegate Lewis expressed disappointment in the lack of appetite for the startup costs for BWC implementation, and encouraged task force members to contact the new administration to explain the need for seed funding for agencies. He noted that the new scaled down version of the bill makes the project more affordable while still maintaining the fundamentals of the legislation.

Executive Director of the MD Police & Correctional Training Commissions (MPCTC), Mr. Albert Liebno, provided an update on PTSC actions regarding BWC. He noted that Senate Bill 71 updated the guidelines of usage and policy of BWC for Maryland law enforcement agencies. The PTSC had already published an approved model policy, and changed the language of the document from "recommended" to "required" in order to meet the conditions of the bill. The approved document has been published since February 2022.

Director of the MD Association of Counties (MACo), Mr. Michael Sanderson, provided a priority report. He noted that if the state leads the negotiations for BWC services, along with cost savings of a large contract, it would set a baseline for security and capabilities of the equipment and services. Subsequently, agencies would not need to duplicate efforts in regards to cyber security of BWC data.

Ms. Sarah Sample, Associate Policy Director of MACo, expressed the need to establish rules for redaction and release of footage as it relates to the protection of children, victims and witnesses. She said the association will model the Public Information Act language used in Senator Sydnor's previous drafts.

Delegate Lewis opened the discussion to any comments from members. Delegate David Moon explained that the objection to providing seed funding to agencies was due to the belief that BWC programs should be a part of standard policing going forward, and not state funded. Chief Antonio DeVaul noted that while larger agencies may have the budgetary capabilities, smaller agencies will need financial assistance in order to install BWC programs.

Delegate Lewis thanked participants for their time, and encouraged everyone to keep working! The meeting adjourned at 10:25am.

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Voight
Typed by: Elise
Stored – 11/15/21
Proofread by _____
Checked by _____

By: **Delegate J. Lewis**

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of requiring and authorizing the Maryland Police Training and Standards
4 Commission to take certain actions relating to body-worn cameras, including adding
5 certain misconduct to a certain disciplinary matrix, adopting certain policies,
6 providing certain training, and conducting certain audits; requiring certain law
7 enforcement agencies in the State to require the use of body-worn cameras by certain
8 law enforcement officers on or before a certain date and adopt certain policies
9 relating to disclosure of recordings and data; requiring the Department of Public
10 Safety and Correctional Services, in coordination with the Department of
11 Information Technology and the Commission, to negotiate certain contracts for
12 certain law enforcement agencies and to establish and administer a certain
13 statewide uniform storage and access system for certain body-worn camera data;
14 requiring the Department of Public Safety and Correctional Services to be
15 responsible for certain costs and expenses related to the use of body-worn cameras
16 by certain law enforcement agencies; authorizing the Commission to request that the
17 Executive Director of the Governor’s Office of Crime Prevention, Youth, and Victim
18 Services condition certain funding on certain action by a certain law enforcement
19 agency; and generally relating to law enforcement and body-worn cameras.

20 BY repealing and reenacting, without amendments,
21 Article – Public Safety

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Section 3–101
2 Annotated Code of Maryland
3 (2018 Replacement Volume and 2021 Supplement)
4 (As enacted by Chapter 59 of the Acts of the General Assembly of 2021)

5 BY repealing and reenacting, with amendments,
6 Article – Public Safety
7 Section 3–105
8 Annotated Code of Maryland
9 (2018 Replacement Volume and 2021 Supplement)
10 (As enacted by Chapter 59 of the Acts of the General Assembly of 2021)

11 BY repealing and reenacting, without amendments,
12 Article – Public Safety
13 Section 3–201(a) and (d)
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2021 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Public Safety
18 Section 3–511
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2021 Supplement)
21 (As enacted by Chapter 60 of the Acts of the General Assembly of 2021)

22 BY adding to
23 Article – Public Safety
24 Section 3–511.1 through 3–511.6
25 Annotated Code of Maryland
26 (2018 Replacement Volume and 2021 Supplement)

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

29 **Article – Public Safety**

30 3–101.

1 (a) In this title the following words have the meanings indicated.

2 (b) “Administratively charged” means that a police officer has been formally
3 accused of misconduct in an administrative proceeding.

4 (c) “Disciplinary matrix” means a written, consistent, progressive, and
5 transparent tool or rubric that provides ranges of disciplinary actions for different types of
6 misconduct.

7 (d) “Exonerated” means that a police officer acted in accordance with the law and
8 agency policy.

9 (e) “Law enforcement agency” has the meaning stated in § 3–201 of this title.

10 (f) “Not administratively charged” means that a determination has been made
11 not to administratively charge a police officer in connection with alleged misconduct.

12 (g) “Police misconduct” means a pattern, a practice, or conduct by a police officer
13 or law enforcement agency that includes:

14 (1) depriving persons of rights protected by the constitution or laws of the
15 State or the United States;

16 (2) a violation of a criminal statute; and

17 (3) a violation of law enforcement agency standards and policies.

18 (h) “Police officer” has the meaning stated in § 3–201 of this title.

19 (i) “Serious physical injury” has the meaning stated in § 3–201 of the Criminal
20 Law Article.

21 (j) “Superior governmental authority” means the governing body that oversees a
22 law enforcement agency.

23 (k) “Unfounded” means that the allegations against a police officer are not
24 supported by fact.

1 3–105.

2 (a) (1) The Maryland Police Training and Standards Commission shall
3 develop and adopt, by regulation, a model uniform disciplinary matrix for use by each law
4 enforcement agency in the State.

5 (2) **THE MODEL UNIFORM DISCIPLINARY MATRIX DEVELOPED UNDER**
6 **PARAGRAPH (1) OF THIS SUBSECTION SHALL ADDRESS MISCONDUCT RELATED TO**
7 **THE IMPROPER USE OF BODY–WORN CAMERAS, EQUIPMENT, AND TECHNOLOGY.**

8 (b) Each law enforcement agency shall adopt the uniform State disciplinary
9 matrix.

10 (c) (1) Within 15 days after an administrative charging committee issues an
11 administrative charge against a police officer, the chief of the law enforcement agency shall
12 offer discipline to the police officer who has been administratively charged in accordance
13 with the disciplinary matrix.

14 (2) The chief may offer the same discipline that was recommended by the
15 administrative charging committee or a higher degree of discipline within the applicable
16 range of the disciplinary matrix, but may not deviate below the discipline recommended by
17 the administrative charging committee.

18 (3) If the police officer accepts the chief’s offer of discipline, then the offered
19 discipline shall be imposed.

20 (4) If the police officer does not accept the chief’s offer of discipline, then
21 the matter shall be referred to a trial board.

22 (5) At least 30 days before a trial board proceeding begins, the police officer
23 shall be:

24 (i) provided a copy of the investigatory record;

25 (ii) notified of the charges against the police officer; and

26 (iii) notified of the disciplinary action being recommended.

1 3–201.

2 (a) In this subtitle the following words have the meanings indicated.

3 (d) (1) “Law enforcement agency” means a governmental police force, sheriff’s
4 office, or security force or law enforcement organization of the State, a county, or a
5 municipal corporation that by statute, ordinance, or common law is authorized to enforce
6 the general criminal laws of the State.

7 (2) “Law enforcement agency” does not include members of the Maryland
8 National Guard who:

9 (i) are under the control and jurisdiction of the Military
10 Department;

11 (ii) are assigned to the military property designated as the Martin
12 State Airport; and

13 (iii) are charged with exercising police powers in and for the Martin
14 State Airport.

15 3–511.

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

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

21 (1) the testing of body–worn cameras to ensure adequate functioning;

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

24 (3) when recording is mandatory;

25 (4) when recording is prohibited;

- 1 (5) when recording is discretionary;
- 2 (6) when recording may require consent of a subject being recorded;
- 3 (7) when a recording may be ended;
- 4 (8) providing notice of recording;
- 5 (9) access to and confidentiality of recordings;
- 6 (10) the secure storage of data from a body-worn camera;
- 7 (11) review and use of recordings;
- 8 (12) retention of recordings;
- 9 (13) dissemination and release of recordings;
- 10 (14) consequences for violations of the agency's body-worn camera policy;
- 11 (15) notification requirements when another individual becomes a party to
12 the communication following the initial notification;
- 13 (16) specific protections for individuals when there is an expectation of
14 privacy in private or public places; and
- 15 (17) any additional issues determined to be relevant in the implementation
16 and use of body-worn cameras by law enforcement officers.

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

- 18 1. the Department of State Police;
- 19 2. the Anne Arundel County Police Department;
- 20 3. the Howard County Police Department; and

1 4. the Harford County Sheriff's Office.

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

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

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

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

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

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

25 **(G) (1) THE MARYLAND POLICE TRAINING AND STANDARDS**
26 **COMMISSION MAY PROVIDE TRAINING TO LAW ENFORCEMENT OFFICERS AND LAW**
27 **ENFORCEMENT AGENCY EMPLOYEES REGARDING BODY-WORN CAMERA POLICIES**
28 **AND THE USE OF BODY-WORN CAMERAS, EQUIPMENT, AND TECHNOLOGY.**

29 **(2) THE TRAINING PROVIDED BY THE MARYLAND POLICE TRAINING**
30 **AND STANDARDS COMMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY**

1 BE IN COORDINATION WITH ANY TRAINING OFFERED BY THE PROVIDER OR
2 MANUFACTURER OF THE BODY-WORN CAMERAS, EQUIPMENT, OR TECHNOLOGY.

3 (H) ALL BODY-WORN CAMERAS, EQUIPMENT, AND TECHNOLOGY USED BY
4 LAW ENFORCEMENT OFFICERS SHALL BE INTEGRATED INTO THE STATEWIDE
5 UNIFORM STORAGE AND ACCESS SYSTEM UNDER § 3-511.2 OF THIS SUBTITLE.

6 3-511.1.

7 (A) (1) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL
8 SERVICES, IN COORDINATION WITH THE DEPARTMENT OF INFORMATION
9 TECHNOLOGY AND THE MARYLAND POLICE TRAINING AND STANDARDS
10 COMMISSION, SHALL NEGOTIATE CONTRACTS TO ACQUIRE BODY-WORN CAMERAS,
11 EQUIPMENT, AND TECHNOLOGY FOR ALL LAW ENFORCEMENT AGENCIES UNDER §
12 3-511 OF THIS SUBTITLE.

13 (2) THE CONTRACTS NEGOTIATED UNDER PARAGRAPH (1) OF THIS
14 SUBSECTION SHALL INCLUDE CONTRACTS FOR:

15 (I) BODY-WORN CAMERAS;

16 (II) A STATEWIDE UNIFORM STORAGE AND ACCESS SYSTEM FOR
17 BODY-WORN CAMERA DATA; AND

18 (III) ANY RELATED EQUIPMENT AND TECHNOLOGY DETERMINED
19 TO BE NECESSARY FOR THE EFFECTIVE USE OF BODY-WORN CAMERAS.

20 (B) THE CONTRACTS NEGOTIATED UNDER SUBSECTION (A) OF THIS
21 SECTION SHALL PRIORITIZE:

22 (1) EQUIPMENT AND TECHNOLOGY THAT COMPLIES WITH THE
23 POLICIES DEVELOPED BY THE MARYLAND POLICE TRAINING AND STANDARDS
24 COMMISSION UNDER § 3-511 OF THIS SUBTITLE;

25 (2) EQUIPMENT AND TECHNOLOGY THAT CONFORM TO INDUSTRY
26 STANDARDS AND BEST PRACTICES;

27 (3) CYBERSECURITY AND DATA PRIVACY;

1 **(4) COMPATIBILITY WITH DIFFERENT EQUIPMENT AND**
2 **TECHNOLOGY;**

3 **(5) CAPABILITIES TO EFFECTIVELY VIEW, EDIT, REDACT, AND**
4 **TRANSFER DATA FROM BODY-WORN CAMERAS; AND**

5 **(6) COST EFFECTIVENESS.**

6 **(C) (1) THE RIGHT OF A LAW ENFORCEMENT AGENCY TO RECEIVE**
7 **SERVICES FROM ANY ENTITY RELATED TO VIEWING, EDITING, REDACTING, OR**
8 **TRANSFERRING DATA FROM BODY-WORN CAMERAS MAY NOT BE RESTRICTED IN ANY**
9 **MANNER.**

10 **(2) THE MARYLAND POLICE TRAINING AND STANDARDS**
11 **COMMISSION SHALL APPROVE OR DISAPPROVE ANY REQUEST TO USE AN ENTITY**
12 **NOT SPECIFIED IN A CONTRACT NEGOTIATED UNDER SUBSECTION (A) OF THIS**
13 **SECTION TO RECEIVE SERVICES RELATED TO VIEWING, EDITING, REDACTING, OR**
14 **TRANSFERRING DATA FROM BODY-WORN CAMERAS.**

15 **3-511.2.**

16 **(A) ON OR BEFORE JULY 1, 2023, THE DEPARTMENT OF PUBLIC SAFETY**
17 **AND CORRECTIONAL SERVICES, IN COORDINATION WITH THE DEPARTMENT OF**
18 **INFORMATION TECHNOLOGY AND THE MARYLAND POLICE TRAINING AND**
19 **STANDARDS COMMISSION, SHALL ESTABLISH AND ADMINISTER A STATEWIDE**
20 **UNIFORM STORAGE AND ACCESS SYSTEM FOR ALL BODY-WORN CAMERA DATA**
21 **CAPTURED IN ACCORDANCE WITH § 3-511 OF THIS SUBTITLE.**

22 **(B) THE STATEWIDE UNIFORM STORAGE AND ACCESS SYSTEM UNDER**
23 **SUBSECTION (A) OF THIS SECTION SHALL:**

24 **(1) ENABLE LAW ENFORCEMENT AGENCIES TO REMOTELY UPLOAD**
25 **DATA FROM BODY-WORN CAMERAS IN AN EFFICIENT MANNER;**

26 **(2) PROVIDE FOR AN ORGANIZED CATALOGING AND RETENTION OF**
27 **BODY-WORN CAMERA DATA TO ENSURE EASE OF ACCESS AND MANAGEMENT;**

1 **(3) ENABLE LAW ENFORCEMENT AGENCIES TO REMOTELY USE THE**
2 **STATEWIDE UNIFORM STORAGE AND ACCESS SYSTEM TO VIEW, EDIT, REDACT, AND**
3 **TRANSFER DATA FROM BODY-WORN CAMERAS;**

4 **(4) BE CAPABLE OF ADAPTING TO THE DIFFERENT SIZES AND NEEDS**
5 **OF LAW ENFORCEMENT AGENCIES ACROSS THE STATE; AND**

6 **(5) CONFORM TO INDUSTRY STANDARDS AND BEST PRACTICES.**

7 **(C) THE STATEWIDE UNIFORM STORAGE AND ACCESS SYSTEM FOR**
8 **BODY-WORN CAMERA DATA SHALL BE THE CENTRAL LOCATION WHERE BODY-WORN**
9 **CAMERA DATA IS STORED AND ACCESSED BY LAW ENFORCEMENT AGENCIES.**

10 **3-511.3.**

11 **THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IS**
12 **RESPONSIBLE FOR ALL COSTS AND EXPENSES ASSOCIATED WITH THE USE OF**
13 **BODY-WORN CAMERAS BY A LAW ENFORCEMENT AGENCY UNDER § 3-511 OF THIS**
14 **SUBTITLE, INCLUDING:**

15 **(1) THE INITIAL COSTS ASSOCIATED WITH BODY-WORN CAMERAS,**
16 **EQUIPMENT, AND TECHNOLOGY; AND**

17 **(2) ONGOING OPERATING COSTS ASSOCIATED WITH THE USE OF**
18 **BODY-WORN CAMERAS BY THE LAW ENFORCEMENT AGENCY.**

19 **3-511.4.**

20 **(A) (1) ON OR BEFORE JULY 1, 2023, THE MARYLAND POLICE TRAINING**
21 **AND STANDARDS COMMISSION SHALL DEVELOP AND PUBLISH ONLINE A POLICY**
22 **FOR THE DISCLOSURE OF BODY-WORN CAMERA RECORDINGS AND DATA TO THE**
23 **PUBLIC.**

24 **(2) THE POLICY DEVELOPED BY THE MARYLAND POLICE TRAINING**
25 **AND STANDARDS COMMISSION SHALL GIVE CONSIDERATION TO:**

26 **(I) PUBLIC INTEREST;**

1 (II) TRANSPARENCY AND ACCOUNTABILITY;

2 (III) INDIVIDUAL PRIVACY;

3 (IV) WHETHER THERE WILL BE ANY PREJUDICE TO AN ONGOING
4 INVESTIGATION;

5 (V) WHETHER ANY EDITS OR REDACTIONS ARE NECESSARY;
6 AND

7 (VI) ANY ADDITIONAL ISSUES DETERMINED TO BE RELEVANT TO
8 THE DEVELOPMENT OF A POLICY FOR THE DISCLOSURE OF BODY-WORN CAMERA
9 RECORDINGS AND DATA TO THE PUBLIC.

10 (3) THE POLICY FOR THE DISCLOSURE OF BODY-WORN CAMERA
11 RECORDINGS AND DATA TO THE PUBLIC SHALL BE DEVELOPED IN COMPLIANCE
12 WITH APPLICABLE LAWS AND REGULATIONS.

13 (B) ON OR BEFORE JULY 1, 2025, THE POLICIES DEVELOPED IN
14 SUBSECTION (A) OF THIS SECTION SHALL BE ADOPTED AND IMPLEMENTED BY ALL
15 LAW ENFORCEMENT AGENCIES UNDER § 3-511 OF THIS SUBTITLE.

16 3-511.5.

17 (A) (1) THE MARYLAND POLICE TRAINING AND STANDARDS
18 COMMISSION MAY CONDUCT AUDITS OF ANY LAW ENFORCEMENT AGENCY UNDER §
19 3-511 OF THIS SUBTITLE TO EVALUATE THE IMPLEMENTATION OF BODY-WORN
20 CAMERA POLICIES AND THE USE OF BODY-WORN CAMERAS, EQUIPMENT, AND
21 TECHNOLOGY IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS.

22 (2) THE SCOPE AND OBJECTIVES OF ANY AUDIT UNDER THIS
23 SUBSECTION SHALL BE DETERMINED BY THE MARYLAND POLICE TRAINING AND
24 STANDARDS COMMISSION.

25 (B) THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION
26 SHALL PROVIDE INFORMATION REGARDING THE AUDIT PROCESS TO A LAW
27 ENFORCEMENT AGENCY BEFORE AN AUDIT IS CONDUCTED.

1 **(C) A LAW ENFORCEMENT AGENCY SHALL MAKE AVAILABLE TO THE**
2 **MARYLAND POLICE TRAINING AND STANDARDS COMMISSION ALL EMPLOYEES,**
3 **RECORDS, AND INFORMATION SYSTEMS DEEMED NECESSARY BY THE MARYLAND**
4 **POLICE TRAINING AND STANDARDS COMMISSION TO CONDUCT AN AUDIT**
5 **REQUIRED UNDER THIS SECTION.**

6 **3-511.6.**

7 **(A) (1) FOLLOWING AN AUDIT UNDER § 3-511.5 OF THIS SUBTITLE, THE**
8 **MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL REPORT A**
9 **VIOLATION OF ANY APPLICABLE LAW OR REGULATION RELATED TO BODY-WORN**
10 **CAMERA POLICIES OR THE USE OF BODY-WORN CAMERAS, EQUIPMENT, OR**
11 **TECHNOLOGY TO:**

12 **(I) THE LAW ENFORCEMENT AGENCY;**

13 **(II) THE DEPARTMENT OF PUBLIC SAFETY AND**
14 **CORRECTIONAL SERVICES; AND**

15 **(III) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH,**
16 **AND VICTIM SERVICES.**

17 **(2) A REPORT UNDER THIS SUBSECTION SHALL REQUEST THAT THE**
18 **LAW ENFORCEMENT AGENCY TAKE APPROPRIATE ACTION TO CORRECT THE**
19 **VIOLATION.**

20 **(B) (1) THE LAW ENFORCEMENT AGENCY THAT RECEIVES A REPORT OF**
21 **AN APPARENT VIOLATION UNDER SUBSECTION (A) OF THIS SECTION SHALL SUBMIT**
22 **A WRITTEN RESPONSE IN A TIMELY MANNER TO:**

23 **(I) THE MARYLAND POLICE TRAINING AND STANDARDS**
24 **COMMISSION;**

25 **(II) THE DEPARTMENT OF PUBLIC SAFETY AND**
26 **CORRECTIONAL SERVICES; AND**

27 **(III) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH,**
28 **AND VICTIM SERVICES.**

1 **(2) THE RESPONSE OF THE LAW ENFORCEMENT AGENCY SHALL**
2 **INCLUDE WHAT ACTIONS, IF ANY, WERE TAKEN AS A RESULT OF THE FINDINGS OF**
3 **THE AUDIT.**

4 **(c) IF AN AUDIT UNDER § 3-511.5 OF THIS SUBTITLE IDENTIFIES ANY**
5 **VIOLATION BY A LAW ENFORCEMENT AGENCY, THE MARYLAND POLICE TRAINING**
6 **AND STANDARDS COMMISSION MAY REQUEST THAT THE EXECUTIVE DIRECTOR OF**
7 **THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**
8 **CONDITION FUNDING FROM THE STATE AID FOR POLICE PROTECTION FUND ON**
9 **ACTION BY THE LAW ENFORCEMENT AGENCY TO REMEDY THE VIOLATION AND**
10 **PREVENT REPEAT VIOLATIONS.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
12 apply only prospectively and may not be applied or interpreted to have any effect on or
13 application to any contract related to body-worn cameras negotiated before the effective
14 date of this Act.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2022, the effective date of Chapters 59 and 60 of the Acts of the General Assembly of
17 2021. If the effective date of Chapters 59 or 60 is amended, this Act shall take effect on the
18 taking effect of Chapter 59 or 60, whichever is later.