

## NAACP Statement on Bill 14-22, Private Security Camera Incentive Program

July 12, 2022

The Montgomery County Branch of the NAACP urges the County Council to use the regulatory process to provide a clear framework for the implementation of Bill 14-22.

If enacted, Bill 14-22 would establish a private security camera incentive program within the Montgomery County Police Department. Under the program, an individual or business could apply to MCPD to receive a voucher or rebate to offset the cost of installing a security camera on the individual's or business's property.

Under the terms of the bill, the property must be within a "priority area" designated by the Police Chief. The bill would define "priority area" as "one or more police districts identified by the Chief as needing additional security cameras based upon public safety indicators, including crime levels." The Chief could promulgate regulations to carry out the program.

The regulatory framework would be reviewed by the County Council under County Method 2, which permits the County Council to review, amend or reject proposed recommendations.

The NAACP recognizes the important role that video evidence recorded on private cameras can play in the effort to reduce criminal activity and bring about justice. One need look no further than the recordings made by civilians in recent high profile criminal actions, such as the death of George Floyd, to know and recognize that video recordings can provide important evidence.

The NAACP also recognizes that as the cost of such equipment has decreased and the ease of installation has increased, many homeowners and businesses have installed video cameras on their respective premises and voluntarily supply the recordings from these devices to law enforcement to help identify individuals involved in criminal conduct.

In recognition of these facts, the NAACP supports the use of video cameras by members of the public to assist law enforcement.

However, because this bill involves the use of government funds and contemplates the establishment of a regulatory regime to determine the location of cameras purchased with the use of government funding, we believe that the implementing regulations put forth by the Montgomery County Police Department (MCPD) must contain some basic guidelines.

Therefore, if this bill is enacted, we urge the Council to use its authority under County Method 2 to assure that the regulatory framework used to implement the law include:

- 1) An assurance that the placement of cameras by residential or business users only cover public spaces or spaces owned by the resident or business. The regulations should be clear that no camera purchased with public funding should be directed to record activity on private property that is not owned by the business or individual.
- 2) A requirement that each business installing such a camera prominently post a notice alerting patrons of the existence of the camera.
- 3) Upon purchase, each camera and its location must be registered with MCPD to permit the rapid retrieval of any relevant video evidence.
- 4) A written narrative description and public dissemination of the methodology which will be used by MCPD to determine "priority" areas.
- 5) The publication of a listing of the "priority areas".
- 6) A written narrative description of the process which will be used by MCPD to review any footage obtained from the cameras.
- 7) An assurance that the contents of the video footage will only be used to provide evidence in on-going criminal investigations.
- 8) The policy regarding the collection, dissemination and disposal of any images gained from the video cameras.

In essence, the NAACP supports the need to protect public safety and security. We know that a regulatory regime that protects the rights of the individual need not conflict with legitimate interests of law enforcement. However, we also know that without a regulatory framework that seeks to assure the protection of the individual at the outset, processes and protocols may inadvertently be used to create systems which harm the rights of all individuals. For instance, without adequate and clear guidance, such a video camera system could be used to populate databases with facial images of innocent people. Such a practice could easily lead to racial profiling or other unconstitutional policing practices.

A system which provides strong protections for the individual while providing clear guidance for law enforcement leads to the kind of transparency that increases trust in the community. Ultimately, it is that community trust which is law enforcement's greatest asset in the quest to assure public safety.

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