



Testimony for the House Judiciary Committee
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HB 578 - Task Force to Study Law Enforcement Surveillance Technologies

SUPPORT

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The ACLU of Maryland supports HB 578, which seeks to create greater oversight of the use of surveillance technology by local law enforcement agencies. The bill would establish the Task Force to Study Law Enforcement Surveillance Technologies to study and make recommendations relating to the use of surveillance technology by law enforcement agencies in the State. The task force must (1) study current and planned uses of surveillance technology by law enforcement agencies in the State, as specified; (2) evaluate the need for transparent civilian oversight of the uses of surveillance technologies by law enforcement agencies in the State; and (3) make recommendations to the General Assembly based on the task force's findings.

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The need for oversight of surveillance technology is not only timely, but it grows more urgent as the development of these technologies outpaces the capacity of regulatory and legislative bodies to enact principles governing the use of these technologies. This oversight need became more apparent in 2016, when the Baltimore City Police Department was reported to have used aerial surveillance technology without the knowledge of the City's residents, Mayor, or City Council, or even the Governor.¹ This technology was acquired and operated with absolutely no legislative or regulatory oversight independent of the police department.

The proposed task force could and should consider a number of factors in its work. For example, the task force may consider how these technologies are being acquired and deployed and how local communities can play a greater role in determining if and how surveillance technologies are funded, acquired, or used. The task force may also develop transparency mechanisms to ensure that technology is not acquired and used without public knowledge and approval. Perhaps most importantly, a task force should consider the potential impact of the technology on civil rights and civil liberties.

The ACLU of Maryland supports HB 578 and its intent to create greater oversight of surveillance technology.

¹ Luke Broadwater and Doug Donovan, Baltimore Sun, Baltimore City Council plans hearing on undisclosed police surveillance plane program (Aug. 25, 2016), available at <http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-ci-surveillance-folo-20160825-story.html>.