



Testimony for the House Judiciary Committee

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HB 637 – Courts – Discovery – In-Custody Witness Testimony

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The ACLU of Maryland supports HB 637 which would implement safeguards and transparency for the use of jailhouse witnesses. The bill would allow prosecutors to access more complete information prior to putting potential jailhouse witnesses on the stand.

Unfortunately, jailhouse witnesses are often incentivized to testify falsely in exchange for more lenient sentences from the state. In Maryland, research is being collected on innocent people who have been wrongfully convicted based on false jailhouse witness testimony.

This bill would create a statewide record for prosecutors to track jailhouse witnesses. Resources like what is proposed under HB 637 are already available in Texas, Nebraska, and Connecticut and it's time that Maryland followed suit. The bill will also enhance disclosure requirements and codify the requirement that prosecutors disclose other cases in which jailhouse witnesses have provided incentivized testimony.

This bill takes the right step towards balancing the scales of justice and enhancing public safety. For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 637.

