

Bill Number: HB1327
Scott D. Shellenberger, State's Attorney for Baltimore County
Opposed

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN OPPOSITION OF HOUSE BILL 1327
COURTS – GRAND JURY PROCEEDINGS –
RECORDING AND TRANSCRIPTS

I write in opposition to House Bill 1327 which would require all Grand Jury proceedings to be recorded.

There are a number of problems with this bill as written. First, the bill eliminates the word testimony and substitutes proceedings. This implies that something more than testimony needs to be recorded. In Baltimore County, the Grand Jury regularly hears from various speakers such as the State's Attorney, Police Chief, etc. These speakers would constitute proceedings of the Grand Jury, but has nothing to do with a case.

Secondly, the bill allows for a court ordered release of the transcript or recording to the public, but does not seem to allow for it to be played in a courtroom during the trial.

Third, this is an unfunded mandate placed upon the counties and the city. In Baltimore County, our Grand Jury proceedings usually last two entire mornings for several hours. Having a court reporter record and transcribe the proceedings will be costly.

This bill is a solutions in search of a problem that does not exist.

The current statue allows for a defense counsel to ask the court to order the State's Attorney to record the testimony. The court can then order that a copy be given to defense counsel.

The current system works well and House Bill 1327 is unnecessary.

I urge an unfavorable report.