

HB0125 Courts - Military Records - Recordation and Inspection
Judiciary Committee – January 24, 2024
Sponsor: Delegate Mike Rogers
Position: Favorable with Amendments

Testimony of Scott Poyer, Clerk of the Circuit Court, Anne Arundel County

Thank you, Chairman Clippinger, Vice Chairwoman Bartlett, and members of the committee, for this opportunity to testify on House Bill 125. For the record, my name is Scott Poyer, Clerk of the Circuit Court for Anne Arundel County.

The Clerks of the Circuit Court have reviewed the bill and would like to offer two amendments for consideration:

1) On lines 13 and 28 on page 2 of the bill, regarding the requirement that the clerk will release DD214 records only for “good cause shown,” the clerk’s believe this is archaic language leftover in the statute and it is difficult, if not impossible, to define the term “good cause shown.” We recommend deleting that language from the statute as follows:

Line 13: (iv) ~~For good cause shown,~~ [To a relative of the person who is the ...

Line 28: (iv) ~~For good cause shown,~~ To a relative of the person who is the...

2) On lines 16-19 on page 2, regarding the redaction of social security numbers, the current bill language appears to indicate that all social security numbers should be redacted from the records immediately. However, since the military did not adopt social security numbers until the year 1969, and the statutes require that military discharge records be held for 70 years from the time they are filed, that means that the first records that have social security numbers will not be eligible for release until the year 2039, not immediately. The Clerks propose amending the proposed bill language on lines 16-19 as follows (amendments in red):

(2) FOR DOCUMENTS THAT A CLERK GRANTS ACCESS FOR INSPECTION, A CLERK SHALL PROVIDE ACCESS TO A COPY OF THE RECORD IN WHICH A CLERK SHALL REDACT THE SOCIAL SECURITY NUMBER OF AN INDIVIDUAL FROM ANY PORTION OF THE BOOK OR ELECTRONIC RECORD, AND ANY RECORD OR INDEX IN THE BOOK OR ELECTRONIC RECORD IN WHICH THE SOCIAL SECURITY NUMBER APPEARS, FOR RECORDS WHICH HAVE BEEN STORED FOR 70 YEARS AFTER THE DATE OF RECORDING.

With these proposed amendments I encourage a favorable report on HB 125, and I would like to thank Delegate Rogers for sponsoring this bill. Thank you for the opportunity to comment, and I am available if you have any questions.