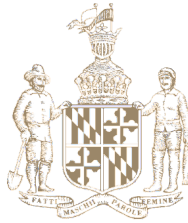


KATIE FRY HESTER
Legislative District 9
Howard and Montgomery Counties

Education, Energy, and
Environment Committee

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 304
Annapolis, Maryland 21401
410-841-3671 • 301-858-3671
800-492-7122 Ext. 3671
KatieFry.Hester@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB655 - Courts - Artificial Intelligence Evidence Clinic Pilot Program - Establishment

February 11, 2025

Chairman Smith, Vice-Chair Waldstreicher, and members of the Judicial Proceedings Committee:

Thank you for your consideration of SB655, which establishes an Artificial Intelligence (AI) Evidence Clinic to support Maryland judges by providing expert analysis on whether electronic evidence has been altered by AI.

The advancement of generative AI has unlocked new possibilities in technology, but it also presents significant challenges. The use of AI to enhance, alter, or fabricate information poses a serious risk, particularly in the courtroom, where truth and accuracy are paramount. A 2021 study found that people often overestimate their ability to detect deepfakes, making it difficult to reliably distinguish authentic evidence from manipulated content.¹ Jurors can be heavily influenced by the evidence they see, even if it is later discredited, underscoring the need for reliable authentication. Furthermore, securing expert testimony to verify disputed evidence can drive up litigation costs, further widening the gap in access to justice.

Maryland has long benefited from impactful law clinics, with clinics across the state providing critical legal support to those in need. Building on this model, we are creating a similar initiative for computer science programs, allowing them to leverage their AI expertise to support the courts and expand access to expert testimony. In collaboration with Maryland Chief Justice Matthew Fader, we have worked to ensure this program effectively meets the needs of the judiciary and the communities it serves.

SB655 moves to create and fund an AI Evidence Clinic Pilot Program within the Administrative Office of the Courts, which will:

- Establish a competitive RFP process for Maryland colleges and universities committed to AI research and advancement to participate in the AI Evidence Clinic Pilot Program
- Those in the Clinic Pilot Program will then assist in civil cases by:

¹ www.ncsc.org/_data/assets/pdf_file/0019/101683/ncsc-ai-rrt-deepfakes-june-2024.pdf

- Providing expert opinions concerning the likelihood that an image, audio, or video is original or has been manipulated, including through the use of AI; and
- Prioritizing support to civil cases where the participants do not have legal counsel and access to expert testimony.

SB655 will ensure that our courts are prepared to meet the rising challenges presented by the growth of AI and deepfake technology, and continue to enforce justice fairly.

For these reasons, I respectfully request a favorable report on SB655.

Sincerely,

A handwritten signature in black ink that reads "Katie Fry Hester". The signature is written in a cursive, flowing style.

Senator Katie Fry Hester
Howard and Montgomery Counties