



**THE MARYLAND HOUSE OF DELEGATES**  
**ANNAPOLIS, MARYLAND 21401**

**Testimony in Support of House Bill 380**

**Public Information Act – Denial of Part of a Public Record – Investigations by Inspectors General**

Dear Chair Pendergrass and Members of the Health and Government Operations Committee:

HB380 is a bill that adds investigatory records that have been compiled by an Office of Inspector General to the list of records that a custodian of public records may deny inspection of.

The Maryland Public Information Act (PIA) grants the public a broad right of access to public records while protecting legitimate governmental interests and the privacy rights of individual citizens. The PIA covers public agencies and officials in Maryland and includes all branches of state government. Under the PIA, certain records and types of information must be withheld from the public, such as hospital and medical records, police traffic accident and other reports, personnel records, and records pertaining to arrest warrants.

The PIA also protects public records in circumstances when their release would be “contrary to the public interest.” For this reason, the custodian of public records may deny inspection of certain records compiled by the Office of the Attorney General, State’s Attorneys’ offices, municipal attorneys, police departments and sheriffs, as well as any records that:

- interfere with a valid and proper law enforcement proceeding;
- deprive another person of a right to a fair trial or an impartial adjudication;
- constitute an unwarranted invasion of personal privacy;
- disclose the identity of a confidential source;
- disclose an investigative technique or procedure;
- prejudice an investigation; or
- endanger the life or physical safety of an individual.

HB380 update the PIA to allow the custodian to deny inspection of records of investigations conducted or compiled by an Office of Inspector General (OIG), whose main function is to investigate misconduct, fraud, or other cases of abuse within their agencies of government.

Currently, investigatory records within the OIG are not adequately protected by the PIA from being disclosed to the public. Although the custodian may temporarily deny access to certain information if it is in the public interest, the onus is on the OIG to petition a court for a continued denial.

HB380 updates the Public Information Act to protect people who provide information to the OIG, as well as the integrity of current and future investigations.

I request a favorable report.