



Honorable William C. (Will) Smith, Jr.
Chair, Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
11 Bladen St., Annapolis, MD 21401

January 28, 2022

Dear Chairman Smith,

I wanted to share with you and the members of the Senate Judicial Proceedings Committee, my personal testimony in support of SB0016 (Criminal Procedure - Expungement - Mistaken Identity).

On Friday afternoon, August 22, 2014, around 5:20pm, while innocently walking by myself, my freedom was taken away from by a local police department.

Within seconds, I was detained and told to sit on the curb of a very busy street during rush hour traffic.

Within minutes, I was surrounded by six police officers, handcuffed very tightly, fully searched for weapons, and placed back on the curb.

Within an hour, I was transported to the police headquarters, photographed, finger printed and put under a \$100,000 bail and accused of armed bank robbery and accessory to robbery.

Within an evening, I was publically humiliated, wrongly arrested, locked up, denied a phone call, denied an explanation of charges, denied being read my rights, and denied being able to speak to my lawyer in a reasonable time, all because I was mis-identified as the wrong "tall, bald, black male," fitting the description.

Coincidentally, just seconds before I was stopped, I was actually jogging because I was trying to get to my car to feed a parking meter, so that I would not get a ticket. If it had not been for a text message that I received, which slowed me down to a walk, I could have very well been running at the time the officer was making his way to me. We can only imagine how things may have turned out if that would have been the case.

In the normal course of law enforcement during their job, mistakes are sometimes made. However, when those mistakes occur, it should not be incumbent upon the innocent person to have to bear the burden associated with those mistakes.

Currently, when someone is wrongfully arrested for mistaken identity, an arrest record is created, and will remain even if the person is released as innocent just hours later, as was the case in my particular situation.



That arrest record can impact a person's ability to get a job, secure a loan, a gun permit, a teaching license, sit for the bar exam, or a host of other items that could create long lasting problems in a person's life, all because they were mistakenly identified and mistakenly arrested. Additionally, the indirect result of an arrest record could impede a person's ability to provide for themselves or their families.

I am pleased that Maryland has joined the other states, since my wrongful arrest, that are considering this piece of "#AutoErase" criminal justice reform legislation. Hopefully, with your and the support of the Committee, it will join the eight other states (North Carolina, Illinois, Colorado, Rhode Island, Kansas, Missouri, Vermont, and Kentucky) that have already signed a #AutoErase Bill into law.

Respectfully submitted,

A handwritten signature in black ink that reads "Charles Belk".

Charles Belk
Founder and Executive Director
Fitting The Description
Wrongfully Arrested for Mistaken Identity, 8/22/14
(213) 632-6390
charlesbelk@fittingthedescription.org

