



Senate Bill 763

Collection and Publication of Criminal Case and Prosecutorial Information

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

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From: D'Paul Nibber and Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 763. The bill obliges each State's Attorney, a county-funded State agency, to assemble and publish a litany of detailed information on public-facing media, at substantial cost to the county and its taxpayers.

SB 763 sits among a series of proposals this session seeking to improve transparency and accountability in public safety and related functions. Counties recognize the importance of accountability for public officials and processes. However, the detailed requirements of SB 763 would inundate the Office of the State's Attorney from each county with a dramatic and cumbersome management requirement that would raise overhead costs dramatically, and siphon limited local budget resources away from other priorities.

County-funded State agencies represent an anomaly in Maryland government – the State's Attorney is an elected position at the county level, and effectively operates independently of the actual county government. Under multiple Maryland court rulings, the county governing body's ability to address budget issues within such agencies (also including Boards of Elections, Boards of Liquor Control, and other comparable units) is very limited. Thus, the costs of meeting the strict requirements of SB 763 would translate, very directly, to mandated costs on county governments – whose budgets are already strained by the national health pandemic, a weakened economy, aggressive education funding mandates, and other State obligations.

SB 763 offers costly and cumbersome requirements for public access, that could presumably be advanced through more moderate and affordable means. Accordingly, MACo requests the Committee give SB 763 an **UNFAVORABLE** report.