



**Maryland | Delaware | DC Press Association**

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To: Judicial Proceedings Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: January 18, 2022

Re: **SB 31 - OPPOSE**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of newspaper publications, from large metro dailies such as the Washington Post and the Baltimore Sun, to hometown newspapers such as The Frederick News Post and Hagerstown Herald-Mail to publications such as The Daily Record, Baltimore Jewish Times, and online-only publications such as Baltimore Fishbowl, MarylandReporter.com and Baltimore Brew.

The Press Association urges the Committee to reject this legislation as it diminishes the Public Information Act. We agree with the intentions of SB 31—sensitive footage should not be released and survivors of domestic violence should be protected – we believe there are already significant discretionary exemptions already protect this footage from disclosure. Specifically, sections 4-357(B)(IV) and (V) create large swaths of body camera footage that will automatically be out of the public’s access. The extremely broad language makes it difficult to imagine the universe of scenarios that may be shielded, but could include footage earlier in the shift of an officer accused of misconduct or events leading up to an incident. Senate Bill 31 is the beginning of a slippery slope, which will steadily erode the public’s access to public footage.

In order to be an accountability tool, body camera footage must remain reasonably accessible. By requiring that custodians **shall** deny inspection of the footage, SB 31 creates a new categorical bar on access to public information. Currently, the PIA provides adequate discretion to custodians to deny release of sensitive information or images. Custodians may deny requests for information if disclosure would be an unwarranted invasion of personal privacy; endanger the life or physical safety of an individual; or interfere with a valid and proper law enforcement proceeding. Custodians have long employed these exemptions to shield sensitive materials from disclosure and can apply these principles to body camera footage.

We urge an unfavorable report.



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