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Testimony in **Opposition** of  
SB 169 – Commercial Law – Consumer Protection – Biometric Data Privacy

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Dear Chairwoman Griffith, Vice Chairwoman Klausmeier, and Members of the Committee:

I am writing to show my opposition to Senate Bill (HB) 169 on behalf of State's Attorney Aisha Braveboy and to urge an unfavorable report. I am an Assistant State's Attorney in the Special Prosecutions Unit in the State's Attorney's Office for Prince George's County.

As a member of the Special Prosecutions Unit, I prosecute, in addition to vehicular homicides and particular murders, financial and property crimes (including arsons and terroristic threats). As a result, I am all too familiar with the very real assistance that evolving facial recognition technologies provide in rapidly identifying subjects for investigation and in helping to dissuade chronic offenders from even entering vulnerable venues, such as banks, hospitals, and casinos.

To be clear, the civil liberty concerns encapsulated in this proposed bill are certainly well-considered and weighty. It must also be borne in mind, however, that the bulk of the individuals that facial technologies have brought to the prosecutorial attention of this office had voluntarily entered the commercial premises where allegedly they committed their crimes – hence, the expectation of privacy such individuals could have reasonably entertained while within such premises was minimal.

In a real, practical sense, facial recognition technologies simply provide the kind of advanced institutional memory that a savvy and experienced premises security officer would command in being able to recognize those individuals who have earlier come into an establishment bent on committing crimes and causing trouble. It is, thus, vital to meeting evolving challenges that law enforcement be availed of these irreplaceable technologies.

For the foregoing reasons, I respectfully urge an unfavorable report, and ultimately rejection, on SB 169.

Sincerely,

/s/

Edward J. Leyden  
Assistant State's Attorney – Special Prosecutions Unit  
State's Attorney's Office for Prince George's County