

Dear Members of the Senate Judicial Proceedings Committee,

I am a resident of Maryland District 46, and as a member of Showing Up for Racial Justice, I work in coalition with the Campaign for Justice, Safety, and Jobs. **I am testifying against Senate Bill 40.**

While the stated intent of Senate Bill 40 is to prevent the release of sensitive footage that could be used to identify victims, as currently written the bill is overly broad in the footage that it restricts. It also restricts release of recordings related to any incident that “does not result in: (1) the arrest, attempted arrest, temporary detention, search, attempted search, citation, death or injury of an individual; (2) the use of force against an individual; or (3) a complaint or allegation of officer misconduct”¹.

Body-worn cameras have been adopted across the US to increase accountability of the law enforcement to the public. Anton’s Law, passed as part of the police reform package of 2021, has been another tool to this end, allowing access to police misconduct complaints and discipline records through the MPIA. As police brutality and misconduct continue both here in Maryland and nationally, most recently with the killing of Tyre Nichols in Memphis, Tennessee, there is an urgent need to continue this important work.

The Maryland Public Information Act (MPIA) currently provides protection for victims through provisions that entitle custodians of body-worn footage to prevent the release of recordings that may reveal sources, endanger individuals, or result in a violation of privacy. Furthermore, custodians of footage are able to redact parts of recordings in order to protect the identity of victims and sources. For these reasons, new legislation that broadly and wholly restricts the release of footage is unnecessary, and has the potential to be exploited by law enforcement, threatening our state’s continuing efforts to increase transparency in policing.

Senate Bill 40 seeks to restrict access to footage from body worn cameras, which is unnecessary given the current powers of the MPIA, and a threat to increased police transparency and accountability — which are so desperately needed to stem the tide of violence that people of color disproportionately experience at the hands of police. We cannot risk undermining Anton’s Law or our ongoing work to reform policing with the lives of our friends and neighbors at stake.

It is for these reasons that I am encouraging you to vote **against Senate Bill 40**.

Thank you for your time, service, and consideration.

Sincerely,

Liz Simon-Higgs

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Showing Up for Racial Justice Baltimore



¹ <https://mgaleg.maryland.gov/2023RS/bills/sb/sb0040f.pdf>