

Dear Members of the House Judiciary Committee,

I am a resident of **MD District 46**. I am a member of the Baltimore City community and feel the pain of the victims of police abuse and violence, and of the – too few – police trying in good faith to build trust in the community to be able to actually prevent and solve crimes. I have seen the stories in the consent decree investigation and in news coverage of body cameras capturing Baltimore Police attempting to plant drugs, the abuses of the Gun Trace Task Force that I know are endemic in the rest of the department, and the crisis in trust making it difficult to find witnesses and jurors. And, although it wasn't in Maryland, I watched the horrific police murder committed against Tyre Nichols captured by police cameras. For those reasons, **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.

It is our position that 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.

Body-worn cameras have been adopted across the US to increase transparency and 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, there is an urgent need to continue this important work.

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,

John Ford

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