

## In Support (FAV) of Bill HB223

On March 30<sup>th</sup>, I received a call from the Baltimore County Metro Police officer regarding information pertaining to my husband. I was able to leave work early and meet them at their station. I was asked information about my husband's whereabouts that previous week. Still nervous and not knowing what was happening I gave accounts of both our whereabouts. They showed me a pic and asked if I knew who the person was. I said "no." They then informed me that from facial recognition they identified the pic as my husband. Mind you the picture they showed me was of someone much younger than my husband, no facial hair, and what looked like straight teeth. My husband has a beard and mustache, about 30 years older, with spacing between his teeth. They asked if I knew where my husband was the morning of March 26, 2022. I later found out this is when the incident occurred. I advised my husband was sleep next to me on the couch at my sister's house. They said my husband was involved in an assault and robbery of a female bus driver in Baltimore, Md. I again told them it wasn't my husband. The officers then said they had my husband on video tape committing this crime. I said you couldn't have because it wasn't him. They showed me the video. Immediately when I saw it (the male was at the bus stop waiting for the bus with a small black suitcase in his hand, wearing clothes my husband would never wear). I immediately told them it was not my husband. My husband does not ride the bus and would not wait on a bus stop to go anywhere. We have two vehicles. My husband does not even know his way around Baltimore, yet, know locations of bus stops. We were staying in Harford County and lived in Hagerstown, Md. My husband has a slew foot when he walks which is visible. This person when he walked on the bus, did not. My husband is 6ft 6 inches tall. If he got on the bus he would have to duck. This guy easily stepped on the bus without ducking. Later to find out he was 5ft 11 inches tall. My husband was 55 years old at the time of this crime. The person in the video was much younger. When I heard the person in the video speak, I recognized that my husband's voice was much different. I responded that this person is not my husband!!!! I asked if the victim identified my husband, I asked if they took fingerprints, I asked if they could track the victim's phone? They responded with my husband was positively identified as the person in the photo and video. One of the officers said, arrogantly, I talked to your husband in great length and it is definitely him and his parole officer positively identified the person committing the crime was my husband. I replied to the officer, if you talked to my husband in great length as you say then you would have seen all of my husband's facial hair, noticed the spacing in his teeth, height difference, and the age difference. I reiterated again, this is not my husband!!!! They did not believe me. I asked the officer, so, you are telling me my husband left Harford County in his vehicle. Then drove to the bus stop in Baltimore County. Parked his car. Then waited on the bus stop for however long with a suitcase to catch a bus and go where? It doesn't make sense. Furthermore, my husband would not physically assault a woman. I told them this guy has a small black suitcase. Our suitcase which happened to be in my trunk is much larger and is blue. They asked if they could search my vehicle, I replied, Yes. They search my vehicle, and took pictures of our suitcase. They then asked if they could search my other vehicle and my sister's house as that's where we had been staying for the past couple weeks. They searched our other vehicle and did not find the phone this person had stolen in the assault nor did they find the clothes this person was wearing in the assault. They went to my sister's house and search the common area and where my husband and I had our belongings. Again, they found nothing linking him to this incident. They took a statement from my sister who attested that my husband was on her couch sleep the morning of March 26<sup>th</sup>. She was certain because she takes her diabetic medicine every morning between 7a-7:30a and when she came downstairs to go in the kitchen she looked in her living room and my husband and I were both on the couch. The police officer said he would send the information to the state attorney as they are the ones who decides to pursue the case or not. In the meantime, my husband was denied bail. I secured a lawyer to represent him at the 2<sup>nd</sup> bail hearing. While at the hearing our lawyer shared the information that I gave to the detectives (witness statement from my sister stating my husband was at her home asleep during the time the incident occurred, information regarding the height discrepancy, age difference, and photo of my husband showing the facial hair.) The State's attorney said he was aware of that information but would still be proceeding due to the facial recognition, the identification from my husband's parole officer, and my husband's extensive driving record but was still pursuing the case against my husband. After speaking with my husband, he told me that he only seen his parole officer twice and both times was behind a mask and both times my husband was seated. Therefore, the parole officer did not know what my husband looked like or how tall he was. his parole officer never seen my husband standing up. Mind you the P.O. only saw my husband twice. I drove to the public defender's office in Hagerstown, Maryland to speak with my husband's parole officer. I told him who I was

and why I was there. My husband was currently locked up with no bail facing over 30 years based on facial recognition and his positive identification. I asked the parole officer if he ever seen my husband without a mask. He said no. I asked the parole officer if he knew how tall my husband was. He said no! I showed the parole officer a picture of my husband. I should him pictures of my husband. He replied I never told the officer I was 100% certain only that it looked like him. I replied no, they said you gave a positive ID that it was him and you signed a document stating it was him. Therefore, that identification supported their facial recognition identification of him. The parole officer said that the picture and the video was not my husband and that he would email the police officer and let them know. The State's Attorney then dropped the charges.

However, in the mean-time, my husband missed a court appearance I Frederick, Md. that he had since he was detained. This further delayed his release a couple more days because of the failure to appear and the judge and they had a detainer on him. I had to contact Frederick Court house, the Frederick Police department, and his public defender to explain my husband was locked up therefore he missed his court appearance. We then had to wait for Frederick courthouse send a release to Baltimore County Detention center so my husband could be released.

This nightmare took 9 days to resolved. I had to lose time at work. My husband lost income from being incarcerated. The emotional toll this took on my husband is still evident until this day. My husband was locked up, with no bail, facing over 30 years for something he didn't do based on facial recognition and a positive ID match from his parole officer.

Had the investigation been done fairly in the first place, my husband would not have been arrested. Even after he was arrested the information that was presented to the police officer, state's attorney, and judge should have been sufficient to release him immediately.

My husband is not perfect. He is currently dealing with repercussions of his actions. However, he is not violent. This was a violation of his rights. This was total negligence on law enforcement and the State of Maryland. Yes, he has an extensive record but it's for driving infractions not theft or assault. I am glad I was able to fight for my husband's release. My heart goes out to those that are currently locked up based solely on facial recognition that do not have someone in their corner to fight for them. and not

Thank you for your time and attention.

Regards,

Carronne Sawyer  
3330 Garrison Circle  
Abingdon, Maryland 21009