



NAACP

Maryland
STATE CONFERENCE

March 5, 2024

Judiciary
Maryland General Assembly
Annapolis, Maryland

Re: HB 1429 – PACE Act

Members of the Committee,

As the Executive Director of the Maryland NAACP, I write to express our strong support for House Bill 1429 and urge a favorable report. This bill, which addresses the admissibility of creative expression in legal proceedings, holds significant importance for our constituents, particularly the Black community, which has long faced systemic injustices within the justice system.

House Bill 1429 proposes to define "creative expression" and restrict its admissibility against criminal defendants or juvenile respondents unless certain court findings are made. This measure is crucial in combating the misuse of artistic expression as evidence, which has disproportionately affected individuals of color, including African Americans.

Creative expression has been unfairly used against members of the Black community in courtrooms across the country. Whether it's through art, music, literature, or other forms of expression, these outlets have been weaponized to perpetuate stereotypes and prejudices, leading to unjust outcomes for Black individuals.

Recent cases, such as that of Young Thug, where rap lyrics were conditionally admitted as evidence, underscore the urgent need for legislation like House Bill 1429. The misuse of creative expression in legal proceedings not only perpetuates harmful stereotypes but also undermines the principles of justice and fairness.

House Bill 1429 not only addresses the immediate need to protect individuals from the misuse of creative expression but also upholds their constitutional right to freedom of speech. The First Amendment guarantees every American the right to express themselves freely, including through artistic mediums such as music, poetry, and literature. By restricting the admissibility of creative expression as evidence in legal proceedings, House Bill 1429 reinforces this fundamental right and ensures that individuals are not unjustly penalized for exercising their freedom of speech. Upholding

this constitutional principle is essential in safeguarding democracy and promoting a society where diverse voices are respected and valued.

Failure to pass House Bill 1429 would have significant consequences, potentially chilling the freedom of expression for countless individuals. The continued misuse of creative expression as evidence in legal proceedings not only undermines the integrity of our justice system but also sends a troubling message about the value placed on artistic freedom. Without the protections afforded by this bill, individuals may hesitate to express themselves fully, fearing that their words and creations could be used against them in court. This stifling of creativity and self-expression would not only harm individuals but also diminish the richness and diversity of ideas in our society. It's imperative that we act to pass House Bill 1429 to prevent such detrimental effects and ensure that all voices are free to be heard.

By supporting House Bill 1429, we take a significant step towards preventing these injustices and ensuring that individuals are not unfairly targeted and prosecuted based on their artistic expression alone. This legislation is essential for promoting equality, protecting civil liberties, and building a more just society for all.

For these reasons, I urge a favorable report of House Bill 1429. Together, let us uphold the values of fairness, equality, and justice for all members of our community.

In Service,

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