

Testimony for SB0554, Public Information Act – Frivolous, Vexatious, or Abusive
Requests - Remedies
Dr. Paula Bienenfeld
February 20, 2025
Oppose

My name is Dr. Paula Bienenfeld. I am testifying in strong opposition to Bill SB0554. The purpose of this act is clearly to limit our rights as Maryland residents to access documents and records that should be public information. The threat that the agency itself has the right to decide to prohibit access creates a chilly climate for individuals or organizations that seek to obtain information that otherwise would be publicly available.

In many instances the applicant, and I have had this experience, will submit a Maryland Public Information Act (MPIA) request and receive no, very limited, or an irrelevant response from the agency or elected official to which the request is submitted. In other cases it is common for the agency to obfuscate or attempt to charge thousands of dollars for the public to gain access to public records.

The act specifically allows said agency or elected official, or custodian, to deny in perpetuity any future MPIA request from the individual or organization making the request. The bill goes further, to state that the custodian need not respond to not just that person, but anyone who makes a request “on behalf of the applicant...” Given the poor track record of most of the elected officials and agencies, this in effect creates a chilly Orwellian climate and restricts our access to what is rightfully the ownership of the applicant, in fact, rightfully the ownership of the residents of Maryland.

This is a miserable attempt to shut down the public’s right to know and echoes of the worst of past authoritarian regimes. We have the right to know what our government and our elected officials are doing. This bill stops that right, limiting our rights so much that organizations and individuals will hesitate to file future MPIAs. In fact, that is the likely intent of this bill.

Please vote against this ill-conceived bill, which has as its only purpose to restrict our access to public documents, records, and information about what our agencies, and elected officials, do. Thank you.