HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR

KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
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P: (410) 260-1560

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MARYLAND JUDICIAL COUNCIL
LEGISLATIVE COMMITTEE

MEMORANDUM

TO:	House Judiciary Committee
FROM:	Legislative Committee Suzanne D. Pelz, Esq. 410-260-1523
RE:	House Bill 669 Law Enforcement Officers – Body-Worn Cameras - Requirements
DATE:	January 30, 2025 (2/25)
POSITION:	Oppose

The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Maryland Judiciary's concern is with the language "deny inspection" on page 2, line 19, as it is unclear whether inspection is synonymous with admissibility. Additionally, the bill, by barring certain evidence from inspection, may violate the existing rules of discovery and pose Brady doctrine related concerns regarding due process. *Brady v. Maryland, 373 U.S. 83 (1963)* held that "suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution."

cc. Hon. Nicole Williams
Judicial Council
Legislative Committee
Kelley O'Connor