



February 13, 2026

Dear Members of the Maryland House Judiciary Committee,

I would like to express my strong support for House Bill 687 and would like to thank the sponsors of this bill, particularly Delegate Amprey, for supporting this important legislation.

This reform is urgently needed. In courtrooms in Maryland and across the country, prosecutors are increasingly introducing creative expression, especially rap music, as evidence in criminal proceedings. Rather than acknowledge rap as a form of artistic expression, police and prosecutors argue that the lyrics should be interpreted literally—in the words of one prosecutor, as “autobiographical journals”—even though the genre is rooted in a long tradition of storytelling that privileges figurative language, is steeped in hyperbole, and employs all of the same poetic devices we find in more traditional works of poetry.

This tactic effectively denies rap music the status of art and, in the process, gives prosecutors a dangerous advantage in the courtroom: by presenting rap lyrics as rhymed confessions of illegal behavior, they are often able to obtain convictions even when other evidence may be lacking. Today no other fictional form, musical or otherwise, is (mis)used like this in courts.

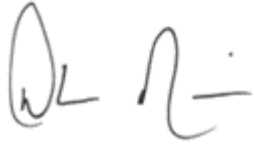
In 2026, we might expect that rap would be recognized as the art form it is, not to mention the multibillion dollar industry it has become, one that offers opportunities for upward mobility to people from communities where such opportunities are all too rare. In my own work, I see these benefits up close as young men and women are using rap music to better themselves, their families, and their communities.

And yet, despite all this, rap is being exploited in the criminal justice system. Our research has identified more than 800 cases where rap music has been used as evidence, but we know the number is far higher and growing, with no sign of slowing without the kind of legal intervention proposed by this legislation.

A growing body of research continues to demonstrate that rap music can be highly prejudicial, including in the context of a jury trial. Even the highest courts in the most conservative states—including Texas, Georgia, and Mississippi—have begun to recognize this and overturning convictions as a result. However, new judicial precedent, although encouraging, is not enough to stop a practice that has continued and grown across the country.

For that reason, I strongly urge you to pass this legislation and help ensure it becomes the law in Maryland. In doing so, you will be making a strong statement about the state's commitment to artistic expression, the First Amendment, and everyone's right to a fair trial.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Nielson". The signature is stylized and cursive.

Erik Nielson, PhD
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