



February 13, 2026

Maryland House of Delegates Judiciary Committee
100 Taylor House Office Building
6 Bladen St.
Annapolis, MD 21401

RE: FIRE urges support (FAV) for HB 687

Chair Bartlett, Vice Chair Davis, and members of the House Judiciary Committee,

My name is Greg Gonzalez, and I am a legislative counsel with the Foundation for Individual Rights and Expression (FIRE). FIRE is a nonpartisan, nonprofit that has worked to protect the First Amendment rights of all Americans for more than 25 years. On behalf of FIRE, I write to express our strong support for HB 687, the Protecting Artists' Creative Expression Act (PACE Act).

Artistic expression is the lifeblood of a free society. Artists challenge our government and institutions, explore the human condition, and help us better understand the world around us. Every day, we create and enjoy art in countless forms whether it be visual art, film, television, music, and literature. This creative output is not peripheral to our constitutional tradition, it is central to it. As such, artistic expression enjoys robust First Amendment protection.

Yet artists today face a troubling reality: the possibility that their creative work may be used unjustly against them in criminal proceedings. The chilling effect of that possibility is profound. When artists must worry that a prosecutor may treat metaphor, storytelling, or fictional personas as literal confessions, free expression inevitably suffers.

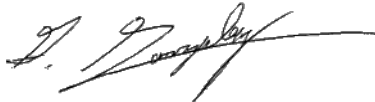
While discussions of this issue often focus on rap lyrics, many celebrated works of art across genres depict crime and violence. Bob Marley's *I Shot the Sheriff*, Johnny Cash's *Folsom Prison Blues*, and Quentin Tarantino's *Reservoir Dogs* all portray unlawful conduct. Yet we do not treat these works as literal admissions of guilt. The PACE Act provides sensible safeguards by limiting the introduction of artistic expression in criminal proceedings except in carefully defined and appropriate circumstances. The

bill does not prevent prosecutors from using artistic evidence when it is directly relevant to a specific crime. If an artist's work is clearly and demonstrably linked to the charged offense, the bill leaves the door open for that evidence to be considered by the court.

The PACE Act ensures that artistic expression cannot be taken out of context and misused simply to paint a defendant as dangerous or of bad character. That protection is essential to preserving the freedom to create without fear. This legislation strikes the right balance. It is thoughtful, it is necessary, and it is overdue.

For these reasons, FIRE respectfully urges the committee to support the PACE Act.

Very Respectfully,

A handwritten signature in black ink, appearing to read "G. Gonzalez", with a long horizontal flourish extending to the right.

Greg Y. Gonzalez
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