

Favorably for House Bill 637

Courts- Discovery – In-Custody Witness Testimony

February 18, 2020

Chairman Clippinger and Members of the House Judicial Committee

I fully support House bill 637; it will give innocent people another layer of protection from being wrongfully convicted. The argument that it is not needed does nothing to protect the individual(s) who have been victimized by false testimony provided by those seeking favors for giving it. If this safe guard was in place neither Mr. Shipley (Clarence Shipley Jr.), Mr. Owens (James Owens), or Mr. Smith (Demetrius Smith) would have been convicted. There are many cases all over the country of serial jailhouse informants, making a career of testifying for the state in exchange for leniency from their charges. Even with the integrity unites some States Attorneys are beginning to establish is not enough, this second look gives an independent body an opportunity to evaluate whether the testimony should be allowed.

A growing number of states that have passed laws to place greater scrutiny on “in-custody witnesses” Maryland would be among them. (Connecticut, Illinois, Nebraska and Texas have passed similar laws placing restrictions on jailhouse informants. Colorado, Kansas, Massachusetts and Oklahoma are debating their own reforms.)

Such laws force prosecutors to disclose to defense lawyers any deals cut with informants; track an informant’s record of testifying in other cases; and mandate hearings in front of a judge over whether an informant’s testimony should be allowed at trial. LUKE BROADWATER Baltimore Sun

We encourage you to vote favorably for HB-637

Walter Lomax, Executive Director, Maryland Restorative Justice Initiative