

Bill Number: SB 763
Allan J. Culver, State's Attorney for Carroll County
55 North Court Street, Westminster, MD 21157
Opposed to SB 763

WRITTEN TESTIMONY OF ALLAN J. CULVER,
STATE'S ATTORNEY FOR CARROLL COUNTY
IN OPPOSITION TO SENATE BILL 763
COLLECTION AND PUBLICATION OF CRIMINAL CASE AND
PROSECUTORIAL INFORMATION

I write in opposition to Senate Bill 763. This bill would unnecessarily enlist the State's Attorney's Office in every local jurisdiction to collect sixty-five (65) categories of data for each criminal case after each criminal hearing. These requirements would have an enormous fiscal and work-load impact on our budgets and employees.

The bill would require every local State's Attorney's Office to create a database to capture the data every time there was activity in a case. Our office handled approximately 6000 criminal cases with 15,00 court hearings in 2021. Our employees would have to review each of these 6000 cases to input data into the 65 categories required by SB 763 after every one of the 15,000 hearings. The onerous tasks would require us to hire two additional staff members, an attorney, and an IT staff member. With the enormity of information required after each hearing, the bill would also require us to create a computer database with the capacity to track sixty-five (65) categories of data for every case and every hearing. This bill would require the Carroll County State's Attorney's Office to increase the office budget between seven hundred seventy thousand dollars (\$770,000) and one million dollars (\$1,000,000) per year. Our office is already facing significant budget and personnel increases this year to comply with the enormous increase in information that we receive from body camera surveillance video.

Of the 65 categories of data required under SB 763 approximately 33 of the categories of data are already available from existing sources. MDEC, Maryland Judiciary Case Search and the Maryland Sentencing Guidelines already collects much of data required to be collected in section 15-502. The Maryland Sentencing Guidelines capture much of the data for most Circuit Court cases. The Maryland Judiciary Case Search is an existing tool that already lists case numbers, charges, bail status and the disposition of charges. Case Search could be modified to collect the additional data that is sought by the bill. Maryland Judiciary Case Search would allow for a uniform statewide platform that could still permit comparison among jurisdictions. There is simply no compelling reason to pass this bill to collect duplicate data, especially when the overwhelming and crippling workloads and costs are considered.

Interestingly enough, the bill would require the name of the prosecutor handling the case at every stage of the case but create a unique identifier in place of the criminal defendant's name. For the Committee's information, a specific prosecutor's name is already attached to cases in MDEC. The specific prosecutor's appearance must be entered into MDEC so the court knows which prosecutor to notify about the case. The prosecutor's name affiliated with a case is one of the many categories of information already available to those who are interested.

The Carroll County State's Attorney's Office joins the Maryland State's Attorneys' Association in requesting that this committee give SB763 an unfavorable report.