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SB 851

April 5, 2022

TO: Members of the House Judiciary Committee
FROM: Natasha Mehu, Director, Office of Government Relations
RE: Senate Bill 851 - Labor and Employment – User Name and Password Privacy – Law Enforcement Agencies

POSITION: SUPPORT

Chair Clippinger, Vice-Chair Moon, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 851.

SB 851 authorizes certain law enforcement agencies to require an applicant to open all of their social media accounts for an in-person review by an investigator during the course of the applicant's background check.

Social media is an honest portrayal of an individual's thoughts on a diversity of subjects, protected by free speech and First Amendment rights. The powers of law enforcement, including the power to detain, and even in certain circumstances use deadly force, must be weighed against an officer's or potential officer's implicit and explicit biases, which can be expressed on social media. The selection of new police officers plays a key role in the Baltimore City Police Department achieving its short and long-term goals: following the federal consent decree, restoring community trust, and constitutionally enforcing the laws of Baltimore City and the State of Maryland.

SB 851 will help ensure that officers hired by the Baltimore City Police Department are emotionally and mentally healthy, and are a good fit for the department. By reviewing the social media accounts of all applicants, the Baltimore City police department would be better position to determine that their hires, sworn and civilian, maintain a positive social media persona that does not promote biases, or other forms of behaviors not suited for constitutional policing including racism, domestic violence, inappropriate relationships with known criminals, or other anti-social behaviors.

For these reasons we respectfully request a **favorable** report on SB 851.