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MAYOR

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**SB0643**

March 26, 2024

**TO:** Members of the Baltimore City Senate Delegation  
**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations  
**RE:** Senate Bill 643 – Public Information Act – Surveillance Images – Illegal Dumping in Baltimore City  
**POSITION:** **Support with Amendments**

Chair Peña-Melnyk, Vice Chair Cullison, and members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 643.

SB 643 would remove barriers to the sharing of surveillance images of suspected illegal dumpers so that they can be released to the public to help identify suspects. Presently a custodian of a surveillance image must deny inspection of those surveillance images except in certain circumstances provided in § 10–112 of the Criminal Law Article.

The Special Investigations Unit (SIU) is a unit within Baltimore City's Department of Housing and Community Development (DHCD) Code Enforcement Division. They investigate large-scale dumping complaints and work to criminally prosecute illegal dumpers, seize vehicles used in dumping, and issue environmental citations. If criminal charges are brought, fines vary based on the weight or volume of the litter. Those found guilty may be subject to up to \$50,000 in fines, up to 5 years imprisonment, forfeiture of their vehicle, points on their Driver's License, loss of City held licenses and permits, loss of City contracts, court-ordered community service, or restitution for cleanup costs.

DHCD employs a variety of technologies in the pursuit of capturing illegal dumping. The agency owns and operates motion-activated cameras and has inspectors working daily to monitor and investigate the dumping captured. Camera locations are installed in areas that are found to be used for illegal dumping based on 311 calls, community complaints, agency referrals, the work of our investigators in the field, and the suitability of the location.

DHCD's SIU faces some obstacles to catching illegal dumpers. To prosecute an individual for illegal dumping, we need sufficient evidence to prove beyond a reasonable doubt that the person committed the crime. SIU investigators utilize eyewitness accounts, motion-activated cameras, and any receipts or identifying information found on site. However, cameras do not work everywhere because of site geography or level of activity, and our cameras may not capture a license plate if a vehicle is used. It is often difficult to prove who did the actual dumping, but anytime we have enough evidence that a person dumped, we file criminal charges.

SB 643 would allow our SIUs to publicly disseminate photos of suspects captured on illegal dumping cameras in an attempt to identify them and reduce the future re-occurrence of this activity by an individual. This is similar to what Metro Crime Stoppers and the Baltimore City Police Department (BPD) do to seek public assistance in identifying criminal suspects. This bill would allow us to seek public assistance in identifying suspects and help to curb illegal dumping.

BCA would recommend an amendment that would do two things. The first being to strike the reference of DPW and insert Baltimore City DHCD. The second would be to add a provision that would allow for Baltimore City's DHCD to publicly disseminate a surveillance image as a part of an investigation. Both of these amendments would allow for this bill to be identical to the House version.

For these reasons, the BCA respectfully requests a **favorable with amendments** report on SB 643.