



Letter of Information

Senate Judicial Proceedings Committee
Senate Bill 107 (Henson)
Criminal Law – Distribution of Students' Personal Information - Prohibitions

Matt Power, President
mpower@micua.org
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The Maryland Independent College and University Association (MICUA) appreciates the efforts of Senator Henson to address the serious issue of doxxing, which is a concern for all of our member campuses. Doxxing can have severe consequences for students, including physical harm, emotional distress, and economic damages.

MICUA supports the intent behind SB 107, which aims to prohibit the distribution of students' personal identifying information or images with the intent or knowledge that the information will be used to harm the student. However, we have some concerns regarding the bill's language and potential implications.

The definition of "distribute" in the bill is quite broad, encompassing a wide range of actions, including giving, selling, transferring, disseminating, publishing, uploading, circulating, broadcasting, and making available. While we understand the need to be comprehensive, we worry that some provisions in the bill may create potential conflicts between constitutionally protected free speech and the protection of student privacy. MICUA member institutions take great care to protect student privacy and adhere to federal and State laws governing the handling of student information. However, the bill's language should be refined to ensure that it does not infringe upon the rights of students, faculty, and staff to engage in free speech and academic expression.

Additionally, the penalties outlined in the bill, including imprisonment of up to 1 year or a fine of up to \$5,000 or both, may be excessive in marginal cases. We understand the need for consequences, but we believe that the penalties should be proportionate to the offense.

MICUA supports the intent behind SB 107 and appreciates the efforts to address the serious issue of doxxing. However, we believe that the bill's language should be refined to ensure that it is effective, constitutional, and proportionate. We look forward to working with the sponsor and Committee members to address our concerns and create a bill that protects students from harm while also respecting the rights of all individuals.