



# POSITION STATEMENT

## TESTIMONY PRESENTED TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE

### SENATE BILL 271 -- CRIMES – VICTIM AND WITNESS INTIMIDATION – PENALTIES AND PROCEDURES

February 6, 2020

**DONALD C. FRY  
PRESIDENT & CEO  
GREATER BALTIMORE COMMITTEE**

#### **Position: Support**

The Greater Baltimore Committee (GBC) supports Senate Bill 271, which expands the applicability of an exception to the hearsay rule relating to witness intimidation. The bill also prohibits a person from causing serious physical injury or death as a result of victim, witness, or related intimidation. Each of these new offenses would be treated as a felony and carry a penalty of imprisonment for up to 15 years for causing serious physical injury or not to exceed 25 years for causing death.

Improving public safety and reducing violent crime have been identified by the GBC as the most important issues facing Baltimore City. They must be urgently addressed. The GBC has recommended a two-pronged approach to reduce violent crime and address the root causes of crime because there is a direct relationship between public safety and economic opportunity. The GBC contends that steps need to be taken to address the criminal activity of repeat violent offenders. This is an important step in reducing the violent crime rate in Baltimore City.

Baltimore City has struggled with an unacceptable and unprecedented level of violent crime. Homicides in Baltimore City totaled 342 in 2017, 309 in 2018, and 348 in 2019. The homicide figure for 2019 is the highest since 1993, when there were 353 homicides in Baltimore City, but it is important to note that the population was almost 20 percent higher than it is now.

A contributing factor to the high murder rate is the difficulty to adequately prosecute repeat violent offenders due to witness intimidation.

Witness intimidation also is a factor impacting the Baltimore Police Department's (BPD) low clearance rates, a statistic that is calculated by dividing the number of homicides where charges are filed by the total number of homicides recorded. The most recently available clearance rate was 32 percent, lower than the previous year and below the national average for cities of a similar size. This is partially attributable to the scourge of witness intimidation. A person who witnesses a crime and agrees to testify is fraught with great risk of harm.

Senate Bill 271 provides some hope of decreasing the inherent risk faced by witnesses by enhancing punishment for the crime of witness intimidation. By providing greater protection for witnesses through deterrence, this bill has the potential to increase first hand testimony, which builds stronger cases against those accused of violent crime.

**GREATER BALTIMORE COMMITTEE**

111 South Calvert Street • Suite 1700 • Baltimore, Maryland • 21202-6180

(410) 727-2820 • [www.gbc.org](http://www.gbc.org)

This legislation is also consistent with the principles contained in the GBC's 2020 *Legislative Priorities*, which provides that an important priority is improving public safety through enhanced coordination among criminal justice agencies and implementation of comprehensive violence reduction strategies. Senate Bill 271, by discouraging the intimidation of witnesses, is an appropriate and important violence reduction strategy.

**For these reasons, the Greater Baltimore Committee urges a favorable report on Senate Bill 271.**

*The Greater Baltimore Committee (GBC) is a non-partisan, independent, regional business advocacy organization comprised of hundreds of businesses -- large, medium and small -- educational institutions, nonprofit organizations and foundations located in Anne Arundel, Baltimore, Carroll, Harford, and Howard counties as well as Baltimore City. The GBC is a 65-year-old, private-sector membership organization with a rich legacy of working with government to find solutions to problems that negatively affect our competitiveness and viability.*