



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith Jr. Chairman and
Members of the Judicial Proceedings Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 3, 2020

RE: **SB 635 – Criminal Law – False Statements – Emergency or Commission of Crime**

POSITION: SUPPORT WITH AMENDMENTS

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT SB 635 WITH AMENDMENTS**. This bill prohibits what is referred to as swatting. Swatting is the act of deceiving law enforcement officer or other emergency personnel into sending response teams to another person's address.

MCPA and MSA appreciates the sponsor's intent and supports the bill to prevent false emergency calls that place responding officers and communities at risk. However, both organizations are concerned with the language giving juveniles a "free pass" for a first offense.

MCPA and MSA believe this decision should remain within the purview of the Department of Juvenile Services (DJS) to decide based upon the severity of the situation and totality of circumstances. As an example, a juvenile falsely reporting an active shooter, or another 911 call falsely reporting a serious crime in progress, generates a tremendous resource response from Law Enforcement, Fire, EMS, etc. This action not only places first responders at risk, but the community at large, has resulted in the loss of life, and should result in full accountability, including the possibility of commitment to the Department of Juvenile Services for out-of-home placement. Under SB 635 as introduced, a juvenile would be guilty of a civil offense and subject to the appropriate juvenile court proceedings. However, the juvenile could not be committed for out-of-home placement. Again, MCPA and MSA believe these decisions should be left to the discretion of DJS.

For these reasons, MCPA and MSA **SUPPORTS SB 635 WITH AMENDMENTS** and requests the language that applies to juveniles be struck from the bill.