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Written Testimony

Senate Bill 790 – Criminal Law – Executive or Legislative Proceedings – Obstruction Judicial Proceedings Committee - March 8, 2022

Support

Background: Senate Bill 790 (SB790) would prohibit obstructing, impeding, or trying to obstruct or impede an official proceeding of the executive or legislative branch by threat, force, or corrupt means. The legislation would expand the existing criminal law that already prohibits obstructing, impeding, or trying to obstruct or impede the administration of justice in court. Violators would be guilty of a misdemeanor, punishable by imprisonment for up to five years and/or a \$10,000 maximum fine.

Written Comments: While existing law protects proceedings of the judiciary from obstruction, recent events have made it clear that such protection should be extended to proceedings of the other two branches of government. The insurrection in the U.S. Capitol on January 6, 2021, is the most prominent such event, but there have been other examples in states around the country over the past year.

SB790 draws a clear distinction between appropriate political discourse, including protests in the spirit of the late Congressmen Elijah Cummings and John Lewis, and the type of obstruction or impediment that our nation saw on January 6th, 2021. The courts have established precedent on this distinction in enforcing existing law related to the obstruction of judicial proceedings, and it should not be difficult to extend this precedent to enforcing the new law.

The Maryland Association of Counties, representing local governments, has advocated amending this legislation to extend the protection to local government proceedings as well, and the Baltimore Jewish Council supports this important change.

To ensure that the activities of our executive and legislative branches are better protected, the Baltimore Jewish Council asks for a favorable report on SB790.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated: Jewish Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

BALTIMORE JEWISH COUNCIL

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