

Maryland Criminal Defense Attorneys' Association



MD Senate -Judicial Proceedings Committee

February 14, 2023 1:00pm

Hearing on SB 209

Task Force on Crimes and Classification

MCDAA POSITION: SUPPORT WITH AMENDMENT

Brief bill explanation: This bill establishes the Task Force to Study Crime Classification and Penalties. The task force must review the penalties for all criminal and civil violations throughout the Maryland Code; recommend whether there are violations that should be reclassified as civil offenses, misdemeanors, or felonies; whether there are penalties that should be altered, whether the State would benefit from the imposition of standardized crime classifications and penalties, the codification of a default mental state as an element of criminal liability, and the codification of affirmative defenses and their elements; whether statutory changes are necessary for provisions of criminal law that lack an explicit *mens rea*; and The task force must report its findings and recommendations to the Governor and the General Assembly by December 31, 2024. The bill takes effect June 1, 2023, and terminates June 30, 2025.

MCDAA Position: MCDAA strongly endorses the establishment of the Task Force and respectfully suggests that, in addition to the Public Defender, a member of the MCDAA be appointed and included on the Task Force. MCDAA is affiliated with the nation's largest association of criminal defense attorneys and will provide valuable insight to the Task Force concerning the real-life courtroom practice efficacy of recommendations the Task Force may recommend.

For additional information or questions regarding this legislation, please contact MCDAA Government Relations Contact John Giannetti 410.300.6393, JohnGiannetti.mcdaa@gmail.com