



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 23, 2023

RE: **HB 745 – 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 HB 745 WITH AMENDMENTS**. This bill prohibits what is referred to as swatting. Swatting is the act of deceiving a law enforcement officer or other emergency personnel into sending response teams to another person's address.

MCPA and MSA appreciate the sponsor's intent and support 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 HB 745 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 HB 745 WITH AMENDMENTS** and requests the language that applies to juveniles be struck from the bill.