

Comptroller_PeterFranchot_SB53

Uploaded by: FRANCHOT, PETER

Position: FAV



Peter Franchot
Comptroller

TESTIMONY OF COMPTROLLER PETER FRANCHOT

Support - Senate Bill 53 - Maryland Income Tax Refunds - Anne Arundel County - Warrant Intercept Program

Budget and Tax Committee

January 15, 2020

Chairman Guzzone, Vice Chairman Rosapepe and members of the Committee, it is my pleasure to provide testimony in support of **Senate Bill 53 - Maryland Income Tax Refund - Anne Arundel County - Warrant Intercept Program**. I would like to thank Senator Reilly for sponsoring this legislation.

Senate Bill 53 will reinstate the Warrant Intercept Program in Anne Arundel County, which authorizes the Office of the Comptroller, in consultation with warrant officials (i.e. law enforcement agencies), to withhold tax refunds from Maryland taxpayers who have outstanding warrants and inform them of an opportunity to surrender themselves to law enforcement under safe and controlled conditions.

For a refund to be withheld by the Office of the Comptroller, a warrant official must certify with the Office of the Comptroller the existence of the warrant and certain identifying information. The Office of the Comptroller must then notify the individual of the certification and its implications and, if applicable, withhold the individual's refund until a "notice to release" is issued from the warrant official.

In 2018, a total of \$816,429.87 from 1,184 refunds was withheld due outstanding warrants, reflecting increases over the previous year by 136% and 125%, respectively. Additionally, \$566,589.84 from 760 refunds was released following the satisfaction of outstanding warrants, accounting for 69% and 64% of the total amount and number of refunds withheld, respectively. In Anne Arundel County, 204 refunds were withheld in 2018, totaling \$122,932.49.

One of my bedrock principles as Comptroller is to reward those taxpayers who abide by the law, while pursuing those who do not. I can affirm that since implementation, this initiative has furnished an effective tool in enforcing the law while providing for the safety of our law enforcement officers and the public they are sworn to protect. For the reasons stated above, I respectfully request a favorable report for Senate Bill 53. Thank you for your time and consideration.

SB 53 AA-Warrant Intercept Program

Uploaded by: MANSFIELD, ANDREA

Position: FAV



532 Baltimore Blvd. Suite 308
Westminster, MD
667-314-3216

**MARYLAND CHIEFS OF POLICE ASSOCIATION
MARYLAND SHERIFFS' ASSOCIATION**



532 Baltimore Blvd. Suite 308
Westminster, MD
667-314-3216

MEMORANDUM

TO: The Honorable Guy Guzzone, Chairman and
Members of the Budget and Taxation 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: January 15, 2020

RE: **SB 53 – Maryland Income Tax Refunds – Anne Arundel County – Warrant Intercept Program**

POSITION: SUPPORT

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT SB 53. This bill would reinstate the Warrant Intercept Program in Anne Arundel County.

Legislation passed in 2012 to implement the Warrant Intercept Program in Anne Arundel County. In 2016, legislation passed authorizing all counties to implement the program with a termination/sunset date of September 30, 2019. Although legislation to continue the program failed last year, it was MCPA's and MSA's understanding that the program would continue in Anne Arundel. Due to an inconsistency in statute, Anne Arundel's program was also terminated. SB 53 is an emergency bill to continue Anne Arundel's program. MCPA and MSA fully support this continuation and intend to work with the Committee on separate legislation to reinstate this very effective program statewide.

The Warrant Intercept Program authorizes jurisdictions to participate in a specified income tax refund withholding program related to individuals with outstanding warrants if the sheriff of the county notifies the Comptroller of the county's intention to participate on or before December 31 of the first taxable year for which the county intends to participate.

Prior to the program being terminated, it was operational in the following jurisdictions: Baltimore City and Anne Arundel, Harford, Howard, Prince George's and Washington Counties; and Frederick had expressed interest. According to a recent Governor's Office of Crime Control and Prevention report, 1,184 tax refunds were withheld for a total of \$816,429. The most common charges associated with the warrants include traffic offenses, failure to appear in court, assault, and destruction of property.

Sheriffs' offices are continuously looking for ways to reduce their warrant backlog, enhance safety for officers, and maintain strict fiscal accountability. This program has allowed them to achieve these goals. MCPA and MSA strongly encourages you to authorize this program to continue.

For these reasons, MCPA and MSA SUPPORT SB 53 and urge a FAVORABLE Committee Report.

Letter of Support (Jan 2020) Signed Version

Uploaded by: Reilly, Ed

Position: FAV



OFFICE OF THE SHERIFF
ANNE ARUNDEL COUNTY

SHERIFF JIM FREDERICKS

P.O. BOX 507
ANNAPOLIS, MARYLAND 21404
Administration 410-222-1571 FAX 410-222-1583

January 10, 2020

Honorable Edward Reilly
Senator – District 33
James Senate Building, Office 315
11 Bladen Street
Annapolis, Maryland 21401

Dear Senator Reilly,

As the Sheriff of Anne Arundel County, I am writing in support Senate Bill 53 (SB53), the Maryland Income Tax Refunds – Anne Arundel County - Warrant Intercept Program. The Sheriff's Office houses and services warrants generated by the police department, District Court, and Circuit Court. There has been a continual need to find safe and effective ways to serve warrants in a manner that protects the lives of officers and citizens, and, is compassionate and considerate to the daily struggles of citizens. I believe the Warrant Intercept Program achieves this purpose. The program withholds a tax refund from a person with an outstanding warrant, notifies them of the warrant, and creates an opportunity for that person to clear the warrant on their terms and time schedule. The process is highly effective, safe for officers and citizens, and provides for proper planning by a wanted person to have a warrant served, while mitigating any further impact on his or her life.

There are currently more than 12,000 open warrants in Anne Arundel County and the Warrant Intercept Program has become an important part of our warrant maintenance effort. I support legislation to continue the program, as it will also become part of my overall warrant reduction strategy during the next few years. The Sheriff's Office has 18 deputies working various hours to service the county warrant load. Annually, those deputies serve more than 2500 outstanding warrants. The warrant intercept program averages a warrant clearance of just over 200 warrants annually, which represents significant percentage of the total number of warrants served by the Sheriff's Office. The Warrant Intercept Program amounts to having an additional deputy, working full time for a year, to serve and clear the average number of warrants cleared through the program; however, without negative law enforcement-to-citizen interaction.

The number of warrants cleared through the Warrant Intercept Program also means that deputies less often have to go into the dangerous scenarios created by warrant service on our roadways, in communities, and at places of business. Warrant service encounters can be embarrassing for the involved person when arrested around family, friends, or coworkers. Regardless of the original offense leading to a warrant, unless recalled, the warrant will be served. The program motivates wanted persons to submit themselves for warrant service with an approach that creates a safer environment for law enforcement and the affected citizen.

For the person with an outstanding warrant, the economic impact of withholding a tax return is real, but when anticipated, very temporary. To the contrary, the economic impact of being arrested unexpectedly for an outstanding warrant can have long-term economic effects on citizens. For example, an individual who is arrested without notice at their place of employment, could potentially lose their job, or at a minimum, time off work. If the warrant offense lands them in jail, due to the setting of a bond amount for the person's release from custody, the loss of wages could be very significant. The setting of a bond will only increase the amount of money the arrested person will have to pay out. If someone is arrested for an outstanding warrant during a traffic stop in Anne Arundel County, their car could be impounded thus causing them additional loss through towing and storage fees. The economic impact of an unanticipated arrest can be devastating and the Warrant Intercept Program can help reduce such losses.

The Warrant Intercept Program has been an important tool to get warrants served, but gives a degree of control to the person with the warrant. In fact, I believe this program provides a benefit to the person with an outstanding warrant. As I explained the potential long-term economic impact, this program allows an individual to plan for potential work outages, contact legal counsel in advance, and mitigate family-related issues through advance notice of an outstanding warrant. The outstanding warrants list is updated daily and once a wanted person is processed for their warrant, the Comptroller's Office is updated to allow for immediate release of withheld tax refunds.

The Anne Arundel County Sheriff's Office and the Office of the Comptroller have worked together for several years to effectively serve warrants without the dangers of normal warrant service. I fully support the Maryland Income Tax - Anne Arundel County - Warrant Intercept Program legislation and encourage ongoing support for SB53.

Sincerely,



Jim Fredericks
Sheriff, Anne Arundel County

SB53-Warrant Intercept Program

Uploaded by: Reilly, Ed

Position: FAV

EDWARD R. REILLY
33rd Legislative District
Anne Arundel County

Finance Committee



James Senate Office Building
11 Bladen Street, Room 316
Annapolis, Maryland 21401
410-841-3568 · 301-858-3568
800-492-7122 Ext. 3568
Fax 410-841-3067 · 301-858-3067
Edward.Reilly@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**SENATE BILL 53 Maryland Income Tax Refunds – Anne Arundel County –
Warrant Intercept Program**

Emergency Bill

DATE: January 15, 2020

COMMITTEE: Budget & Taxation

SUMMARY OF BILL: Authorizes warrant officials to certify to the Comptroller that an individual has an outstanding warrant and request that the Comptroller withhold the individuals Maryland income tax refund.

Warrant Means a criminal arrest warrant; including a warrant issued for, or that results from:

1. Failure to appear before the court of the State.
2. A violation of the MD Vehicle Law that is punishable by a term of confinement, or
3. A violation of Probation.

Warrant DOES NOT include a body attachment.

EXPLANATION:

Applies only to residents of Anne Arundel County, or individuals who have an outstanding warrant from Anne Arundel County.

The Comptroller may not withhold a refund if the individual is an active duty member of the U.S. Armed Forces, or files a joint income tax return.

Yearly report from Comptroller to House Ways & Means, and Senate B&T Committees on the implementation of the Warrant Intercept Program.

- **LETTER OF SUPPORT FROM ANNE ARUNDEL COUNTY SHERIFF JIM FREDERICKS**