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DATE: January 22, 2020

BILL NUMBER: SB 138

POSITION: Support

The Office of the State's Attorney for Harford County (HCSAO) supports SB 138.

SB 138 expands the places, to include the Circuit and District Courts in Harford County, in which personal service of a criminal summons, warrant or charging document may be effectuated by a designated person. An administrator, defined under current law as a sheriff, director, superintendent or warden of a local detention facility retains the ability to designate and train persons for this task.

The ability of additionally trained personnel to serve criminal summons, warrants and charging documents would greatly enhance the efficiency and scope of the criminal process. Currently, only sworn police officers may serve these materials outside of the Harford County Detention Center. Oftentimes, a sworn police officer is not immediately available in the Circuit or District Courts of Harford County. Individuals who are the subject of the criminal service are many times waiting in Court for a sworn officer to be called in from patrol or other similar duty. This delays the service and takes a law enforcement officer away from their post to perform a routine task which, effectively, could be accomplished by another qualified individual.

This legislation creates a common sense solution which will undoubtedly facilitate service of process and the ability of the Harford County Sheriff to manage his personnel. The designation of these qualified individuals in courthouse settings should be maximized.

For these reasons the HCSAO requests a favorable report on SB 138.