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TIMOTHY E. GOWEN
MAJOR GENERAL
THE ADJUTANT GENERAL

March 12, 2020

Senator William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB1010 – Public Safety – Maryland Code of Military Justice

Letter of Support

Dear Chairman Smith:

Senate Bill 1010 establishes a Maryland Code of Military Justice. The bill is the product of a workgroup the Maryland Military Department was asked to participate in. The workgroup worked over the interim to review current law and a model for state military justice codes developed by the National Guard Bureau, the American Bar Association and the Department of Defense.

Military justice jurisprudence has continued to evolve since the creation of the United States Code of Military Justice (USMJ). Changes have included the expansion of defendants' rights, professional regulation of military justice practitioners, judicial review and victims' rights. In 2005 Congress directed the Department of Defense to promulgate a "Model Code of Military Justice". In 2016 the UCMJ was significantly reviewed including an expansion of victims' rights. Maryland has not kept up with the changes and has not been significantly amended since 1957. Senate Bill 1010 if enacted will bring the state into a current posture and incorporate up to date constitutional rights of both service members and victims. This bill provides a modern system of state military justice. Of note military justice program is a federal funded National Guard program and requires no additional state funds.

For these reasons, we respectfully request the Committee give SB1010 a favorable report. Thank you for your support of the Maryland Military Department. We would be happy to provide any

additional information if required. Please feel free to reach out to our Director of Legislative and Government Affairs by e-mail catherine.a.kelly26.nfg@mail.mil or by phone 410-446-5390.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy Gowen', with a long horizontal stroke extending to the left.

TIMOTHY GOWEN
Major General, MDARNG
The Adjutant General