
MSCCSP



Maryland State Commission on Criminal Sentencing Policy

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David A. Soulé, Ph.D.

TO: House Judiciary Committee

FROM: MSCCSP

RE: House Bill 355
State Commission on Criminal Sentencing Policy – Annual
Report – Crimes of Violence (The Judicial Transparency Act
of 2020)

DATE: February 4, 2020

POSITION: Oppose

The Maryland State Commission on Criminal Sentencing Policy (MSCCSP or Commission) convened via teleconference on January 29, 2020, to solicit feedback on House Bill (HB) 355 and its cross-filed Senate Bill (SB) 272. Sixteen of the 19 Commissioners participated in the call. By a majority vote of 8 to 5 (with two votes to abstain and one non-vote from the Chair who typically does not vote unless to break a tie), the Commission voted to oppose HB 355 and its cross-filed SB 272. The five who voted not to oppose the legislation supported a separate failed motion that the Commission should take no position on the legislation. A majority of Commissioners voted to oppose HB 355/SB 272 because the legislation is inconsistent with the Commission's historical and statutory purpose. Sentencing guidelines are voluntary and were never intended to impose an absolute limit on judicial discretion, or to gather and/or publish judge-specific sentencing information.