

Baltimore City Sheriff's Office

Samuel Cogen, Sheriff

Main Office
The Clarence Mitchell Courthouse
100 N. Calvert Street
Baltimore, Maryland 21202
Phone: 410-396-1155
Fax: 410-727-3507



District Court Office
111 N. Calvert Street
Baltimore, Maryland 21202
Phone: 410-396-7412
Fax: 410-396-7439

TO: The Honorable Members of the House Judiciary Committee

FROM: Nicholas T.R. Blendy, Esq., Assistant Sheriff, Baltimore City Sheriff's Office

RE: House Bill 21 – Criminal Procedure – Warrantless Arrest – Straw Purchase Participant

DATE: January 23, 2024

POSITION: FAVORABLE

Chair Clippinger, Vice Chair Bartlett, and members of the Committee, please be advised that the Baltimore City Sheriff's Office (BCSO) **supports** House Bill (HB) 21.

HB 21, if enacted, would add the misdemeanor of knowingly being a participant in a straw purchase of a regulated firearm to the list of offenses specified in Md Code Crim Pro §2-203 whereunder a police officer may effect a warrantless arrest if s/he has probable cause to believe a person has committed this offense and the inability to make an immediate arrest will result in that person not being apprehended; causing physical injury or property damage to another; or tamper with, dispose of, or destroy evidence of the offense.

In Baltimore City, the illegal gun market is awash in ghost guns and straw purchases, and this bill is tailored narrowly to respond to the realities of the moment. By adding the offense of straw purchase participant to the list of offenses for which a warrantless arrest may be effected, this Committee would give law enforcement a tool to reduce the flow of illegal firearms into our community in an impactful and meaningful way. The BCSO works with state and federal partners on the issue of illegal firearms possession, trafficking, and straw purchasing, which often goes hand in hand with the trafficking of illegal drugs involving serious violent actors. HB 21 is an appropriate solution to this problem, because the illegal firearm is highly likely to be disposed of in the time it takes from when a police officer first has probable cause that this unlawful act has occurred, but before they are able to obtain a warrant and go and effect the warrant and conduct a search and make an arrest.

Moreover, it is important to note the BCSO is the agency in Baltimore City that serves the vast majority of warrants on individuals residing either permanently or temporarily in Baltimore City, which has the highest warrant service volume in the State of Maryland. This includes warrant service not just from the Courts in Baltimore City, but also in the region and throughout the State of Maryland. Because HB 21 would allow an officer to conduct the arrest at the time s/he first has probable cause of the crime of straw purchase is occurring, there would not be a need to obtain a warrant and would therefore reduce the workload upon law enforcement to serve said warrant.

For the foregoing reasons, the BCSO respectfully requests a **favorable** report on HB 21.