



SENATE BILL 0334

Criminal Law- Crimes of Malicious or Fraudulent Burning – Prohibitions and Penalties

RICH GIBSON, HOWARD COUNTY STATE'S ATTORNEY

POSITION: FAVORABLE

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My name is Rich Gibson, State's Attorney for Howard County, and President of the Maryland State's Attorneys' Association. I have been a prosecutor for approximately 20 years, and I am writing today to offer my strongest support for SB 0334.

This bill seeks to remedy a significant gap in our legal system. No one would argue that the profession of firefighting is inherently dangerous. Firefighters bravely and willingly place themselves in harm's way to protect the lives and property of others. When someone decides to maliciously or fraudulently set fire to the property of another individual it is foreseeable that emergency services will respond to extinguish that fire. But for that criminal choice and actions those brave firefighters would not be exposed to potentially life-threatening hazards. However, there is currently no mechanism by which to seek justice for a firefighter injured or killed in the line of duty due to an intentionally set fire.

From 2013 to 2022, ATF Bomb Arson Tracking System data reveals 35 reported injuries to firefighters during the suppression of fires classified as arsons in Maryland. In the past three years, there have been five arson cases in Howard County resulting in firefighter injury. Unfortunately, the crimes of Assault and Reckless Endangerment do not adequately encompass these scenarios and thereby leaves the State without any meaningful avenue to seek justice for an injured victim.

This bill seeks to create that mechanism, allowing Maryland's prosecutors to seek justice for our injured victims who would not have been harmed but for the need to respond due to the criminal actions of the arsonist. By holding arsonists accountable for the injuries, they cause, the State can provide accountability, justice, and protection to the victims and their families while ensuring arsonists face appropriate consequences.

In conclusion, on behalf of myself, the Howard County community, and the prosecutors of the state of Maryland, I seek a favorable report from the committee on SB 0334. Thank you.