

2026-01-30 HB0336 - Testimony.pdf

Uploaded by: Beatris O'Connor

Position: FAV

Chair, Vice Chair, and members of the committee,

My name is Beatris O'Connor. I am a Montgomery County resident, a former long-time business owner, and today I am here as someone whose family was deeply harmed by a system that lacks basic safeguards.

For nearly two years, my fiancé's ex repeatedly made false sworn statements to District Court Commissioners. Each time, a warrant was automatically issued—without corroborating evidence or meaningful review. Because a warrant alone is enough to trigger a parole violation, my fiancé's parole was violated the moment those warrants were issued, even though the allegations were later dismissed. As a result, he was incarcerated twice—first for three months, then again for six months—for charges that were ultimately found to be fabricated and baseless.

Seven criminal charges were filed. Every single one was nolle prossed by the State's Attorney after evidence directly contradicted the claims. Yet despite that outcome, the consequences to his freedom had already occurred. There is no remedy for time wrongfully taken. This same individual has made approximately 20 fabricated civil complaints, all resulting in warrants or sheriff service. Not once was she flagged. Not once was accountability applied.

This is not an isolated problem. Studies and court data consistently show that civil complaints are especially vulnerable to misuse, particularly in high-conflict personal relationships. A significant portion are later dismissed or found to be unfounded—yet arrests and parole consequences still occur first, because Maryland currently allows warrants to issue based solely on sworn statements, without evidentiary checks.

Our family has spent tens of thousands of dollars in legal fees defending against allegations that never should have progressed. But the financial burden pales in comparison to the emotional toll—the fear, instability, and loss of trust in a system meant to protect, not punish, innocent people.

My fiancé committed a non-violent bank offenses in 2010. He served his time and rebuilt his life as a contributing member of society. But under the current system, his parole status makes him uniquely vulnerable. One false statement—without proof—can override due process and put him back in jail.

That is not justice. That is punishment without conviction.

HB0336 does not eliminate civil complaints. It introduces accountability and common-sense safeguards so sworn statements cannot be weaponized. It restores the fundamental principle that liberty should not be taken without proof.

What happened to my family should not be possible in Maryland.

I respectfully urge a favorable report on HB0336.

Testimony on House Bill HB336.pdf

Uploaded by: Beverly John

Position: FAV

Testimony on House Bill – Favorable

HB 336 – Criminal Procedure – District Court Commissioners and False Statements

House Judiciary Committee

February 3, 2026

My name is Beverly John. My daughter and I submitted testimony last year in support of HB21. We continue our support this year in favor of HB336.

The horror and trauma experienced by my daughter and our family when she was falsely accused by a jealous woman who attempted to harm her in a fit of rage we captured on video should never be allowed to happen. In 2025, the Commissioner database showed that Prince George’s County handled over 12,000 cases. Of those cases, 3,818 residents were held without bond. I wonder how many of these cases were made based on false charges. How many lives were negatively affected because we were unable to move it through the General Assembly last year?

This is a strong bill that allows for initial investigation before immediately issuing warrants on those who are being falsely accused and accountability for all involved. Therefore, I urge you to vote favorably on HB336.

Thank you.

MAJR-2026-HB336-FAV.pdf

Uploaded by: Bill Carlson

Position: FAV

Maryland Alliance for Justice Reform

Working together for a criminal justice system that better serves our communities



To: Chair Sandy Bartlett and Judiciary Committee members February 3, 2026
From: Bill Carlson and Jenny Zito, MAJR Executive Committee
Subject: **FAVORABLE - HB 336 - District Court Commissioners and False Statements**

The Maryland Alliance for Justice Reform (MAJR - www.ma4jr.org) supports HB 336 which would prohibit District Court Commissioners from issuing arrest orders unless the application is from a police officer or States Attorney. This would replace the current system in which the District Court Commissioners can issue arrest warrants based on a statement of charges by anyone.

As the legislature has heard in testimonies in previous years, the existing system has caused many people to be arrested as a result of unjustified accusations. This can create substantial disruption in their lives, and lasting negative impacts on their families and reputation. The current system has allowed noncriminal situations involving irritated neighbors, troubled relationships, and discordant divorces or custody disputes to quickly escalate, leading to the arrest of people who are not guilty of breaking any law. See e.g., this testimony: [Thursday, January 23, 2025 Maryland House Of Delegates ATTN](#) in which a man used protective orders and accusations of child abuse against his ex-wives.

Your committee has received unfavorable testimony from some groups that serve abused individuals. They do not want to shut down a policy that allows an abused person to have their abusers quickly locked up. However, there are other avenues for stopping abusers through the police ([Section 2-204 \(2024\)](#)). Although a civil domestic violence protection order is not always sufficient to deter the most enraged domestic violence offenders from renewed abuse / threats / injuries, the police are required to arrest an accused abuser if there is the potential for violence. If the committee concludes that the current system plays an important role in domestic violence cases, MAJR would suggest a friendly amendment allowing victims of domestic violence to go to the District Court Commissioner to request an arrest warrant. Such an amendment could use the same standard as Section 2-204.

The second part of the bill concerns raising the penalties for false accusations. MAJR believes this is unnecessary and may discourage victims of domestic violence from reporting their abusers. Even the current penalties for false accusations are rarely employed since they are difficult to prove. MAJR suggests a friendly amendment that the increased penalties portion of the bill be removed.

MAJR is a nonpartisan, all-volunteer organization of nearly 2000 Marylanders who advocate for sensible, evidence-based legislative and policy changes in Maryland's correctional practices. We urge the committee to give HB 0336 a favorable report.

Maryland Alliance for Justice Reform, Inc.

351 Dubois Rd., Annapolis, MD 21401

www.ma4jr.org

A 501c(4) Non-profit Advocacy Organization

HB336PositionFavorableOPD.pdf

Uploaded by: Brian Levy

Position: FAV



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

HANNIBAL KEMERER
CHIEF OF STAFF

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB 0336 - Criminal Procedure – District Court Commissioners and False Statements

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: January 30, 2026

The Maryland Office of the Public Defender urges a favorable report on House Bill 336 for the foregoing reasons:

The Current System

In Maryland any individual, not just a police officer, can apply for criminal charges to be filed against someone by filling out and providing an application to a District Court Commissioner. *See Md. Code Ann., Cts. & Jud. Proc. § 2-607.* The District Court Commissioner, who typically is not a lawyer, may then issue a summons **or an arrest warrant**. At present, all that is required to issue an arrest warrant is that the commissioner find there is probable cause to believe the defendant committed the offenses charged **and**

- that the accused has previously failed to respond to a served summons or citation, or
- that their whereabouts are unknown and the warrant therefore necessary to subject them to the jurisdiction of the court, or
- that the accused be in custody for another offense, ***or***
- that there is probable cause to believe that the defendant poses a danger to another person or the community.

See Md. Code Ann., Cts. & Jud. Proc. § 2-607.

In making the determination whether to issue charges, and potentially an arrest warrant, the commissioner is not required and does not even have the ability to investigate or corroborate the allegations made. Additionally, there is no requirement that the individual making the application for charges contact the police or any other investigative agency regarding the alleged crime(s).

The Problem

The District Court Commissioner lacks the ability to investigate the accuracy or honesty of the allegations put before them. Thus, the commissioners typically must limit their review of the application to the four corners of the document. As such, they essentially issue a rubber stamp on

any allegations made, simply assuming the truth of what is alleged and issuing charges based on unverified, uncorroborated, and occasionally patently false allegations. Particularly problematic are situations in which someone accuses another of committing an act of violence, such as an assault. The accusation can be completely baseless, but if the allegations can be construed to create a belief that a defendant poses a danger to another or the community, the commissioner may issue an arrest warrant. As such, a simple unsupported allegation of an assault, or any violent crime, will often lead to the issuance of an arrest warrant for the accused.

While the State's Attorney's Office ultimately has the ability to review, investigate, and determine whether to go forward on charges filed by the District Court Commissioner, any such review rarely occurs prior to the arrest of the accused on a commissioner's warrant.

An arrest alone, even in cases later dismissed, will have devastating negative repercussions for the wrongly accused, to include, but certainly not limited to: loss of employment; loss of housing; deprivation of liberty; and the inflection of emotional trauma.

The System is Rife with Abuse

In my experience as a supervisor of public defenders in one of our State's busiest district courts, the commissioner charging system is abused most significantly by, although by no means exclusively by, perpetrators of domestic violence. We often see that where a perpetrator of domestic violence is criminally charged, or believes that they may be, that they will go and apply for false charges of assault (or other crimes) to be taken out against the *victim* of their abuse, causing those survivors to be arrested.

Perpetrators of domestic violence very often have more agency than their victims. They understand how to abuse the system and are **willing to do so**. Whether to retaliate against their partners for accusations made against them, or as a tool of coercive control, or to escape from their own prosecutions, utterly meritless accusations of domestic violence are commonly made by the perpetrators of it. This abuse of the commissioner charging system causes the unnecessary and unjust arrest of innocent, victimized, individuals.

A Modest but Necessary Reform

House Bill 336 proposes a modest but necessary reform to our commissioner charging system. By restricting District Court Commissioners to issuing arrest warrants to those cases filed by the police, it would significantly reduce the number of instances in which arrest warrants are issued in frivolous and false cases. Victims of crime can and should call the police to conduct an arrest. Even if the police are unable to arrest the perpetrator at the scene the police are able to apply for charges and an arrest warrant through the District Court Commissioner. House Bill 336 will not affect this process. Where the police, for whatever reason, are not willing to apply for charges, this bill would still permit an individual to apply for charges through the District Court Commissioner. However, House Bill 336 will limit the commissioner's power so that the commissioner can only issue a summons upon an application for statement of charges based on a civilian application. Limiting the issuance of commissioner arrest warrants to those applications

filed by the police will prevent some of the gravest harm, the arrest of an innocent person, caused by the filing of frivolous and false accusations.

Minor Edits to Be Made to the Bill

As written, HB 336 states that District Court Commissioners may issue a warrant upon an application for Statement of Charges filed by a police officer “**or a State’s Attorney.**” See page 2, line 30. State’s Attorneys do not file applications for statements of charges as they do not have personal knowledge of the events alleged. When State’s Attorney’s wish to file criminal charges, without the involvement of the police, they do so by filing a Criminal Information, see *MD Code, Criminal Procedure, § 4-102, Md. Rules 4-211 and 4-201*, or by obtaining an indictment through the Grant Jury, and requesting either a summons or a warrant be issued by the Court. See *Md. Rule 4-212*. Therefore, the words “or a State’s Attorney” on page 2, line 30 of the bill should be removed as they are superfluous. Based on our meetings with the Baltimore City State’s Attorney’s Office it seems as though this change is fine with them as well.

MOPD Objects to the Penalty Provision

The Maryland Office of the Public Defender does not agree with the portion of the bill that increases the maximum penalty for this misdemeanor from six (6) months to three (3) years. Allegedly, this increased penalty seeks to deter individuals from making materially false statements to officials. This strategy of deterring such crimes by increasing the maximum allowable penalty is misguided. Research consistently has demonstrated that a strategy of more frequent prosecution rather than imposing longer sentences is more effective in deterring crime. Evidence shows that lengthy prison terms do not significantly reduce recidivism rates and can have negative societal impacts like increased costs and disruption of families. Instead, a consistent threat of potential legal consequences through regular prosecution is a more effective deterrent. Rarely are individuals prosecuted for making a false statement.

Moreover, raising the maximum penalty above 6 months would have potential unforeseen immigration consequences including, but not limited to, impacting the attainment or adjustment of legal status, admissibility into the country, and impacting potential defenses one might have in removal proceedings.

We urge that the bill not change the penalty provision of Criminal Law § 9–503.

We Urge Resistance to Any Exceptions – They will Swallow the Bill

The Office of the Public Defender supports HB 336 as written (subject to the minor fixes mentioned above) and requests that the Committee issue a favorable report. However, if the bill were to be amended to create an exception allowing District Court Commissioners to issue warrants upon receipt of applications for statements of charges by individuals eligible for relief as defined in § 4-501 of the Family Law Article, the Office of the Public Defender will oppose this bill. Such an amendment would swallow this bill. As discussed above, the most rampant abuse of the commissioner charging system in our experience is by perpetrators of domestic violence, who would fall under such a proposed exception. The Office of the Public Defender remains willing to work with those who advocate for survivors of domestic violence to create

good policy for all, but would strenuously object to such an amendment that would neuter the modest but important reforms this bill seeks to effectuate to our commissioner charging system.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on the House Bill 336.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Brian E. Levy, Assistant Public Defender, District 1 Baltimore City.

Eastside District Court, 1400 E. North Ave., Baltimore, MD 21213. Brian.Levy@maryland.gov,

410-878-8617

HB 0336_Dr David Myles_fav.pdf

Uploaded by: David Myles

Position: FAV

Good afternoon members of the House of Delegates and Judiciary committee.

My name is David Myles. I currently serve as one of Rockville's City Councilmembers, work full-time as a pediatrician and was honorably discharged from serving active duty in the US Navy. I am providing testimony in support of House Bill 0336 in my personal capacity as someone who has called Maryland home since I moved to Baltimore in 2010 to complete a pediatrics residency at Johns Hopkins Hospital.

Despite a resume that may be impressive to some, I am still a Black man and have personally experienced the deliberate abuse and misuse of the Commissioner system on more than one occasion.

Nearly three years ago, I was packing and cleaning my home in preparation for an overseas job interview the following day. As I was vacuuming, a group of officers with guns drawn and pointed at me entered my home to fulfill a warrant that had been issued on the false premise that there was a loaded gun in my home. The person who fraudulently submitted that petition to the Commissioner had already removed the ammunition. I seriously thought that I may be shot and killed in my home and I recall sending a text to my immediate family indicating to them that there are police in my home and that my mother is the primary beneficiary of my will. When the officers searched the home, they verified that there were no loaded guns. To say I was traumatized is an understatement. No Black man ever wants police in his home with guns pointing at him. After spending thousands of dollars on legal fees, I was able to have the fraudulently drafted protective order expunged from my record. Just over a year after that incident, you all thankfully passed SB340 in 2023 which made it a civil liability to make false statements to authorities that could lead to bodily harm as this individual had done.

Months later, this same individual physically assaulted me while I was carrying my five-year old child by scratching, biting, shoving (as I was descending downstairs) and ultimately knocking me over as I tried to leave my home. That individual called 911 and, in a strange twist of fate, was themselves arrested by police, charged with assault, jailed and processed after police collected evidence including photos and body worn camera footage. That individual also lost custody of my child and access to my home. Days after being released from jail, that individual went to a commissioner to file false charges and testimony inconsistent with the police report and directly contradicting reporting from a CPS interview of my child days later. That individual did not indicate that they were charged and arrested in their statement of charges to the Commissioner. As I was walking to pick my child up from school, I was contacted by the sheriff's department stating that there was a warrant issued for me. To say I was confused is an understatement as I already had a protective order against this individual that had been approved in District Court by a Judge the previous day. Up to that point, I had spent the previous four days attempting to keep to routines for my child—a child who had already witnessed their father being assaulted. It took approximately seven hours for me to be processed prior to my being able to return home.

The implications of this second false statement to the Commissioner and associated warrant have been much more costly. I knew I would have to spend thousands of more dollars in legal fees, but I wasn't prepared to have been placed on administrative leave at work, being disinvited from giving a previously scheduled speech to a national coalition of pediatricians on Capitol Hill, having the story of this warrant making it to print and TV media while I was running for re-election which

inappropriately cast me as the perpetrator of my own assault. All this is the result of a Commissioner issuing a warrant based on false testimony plainly contradicted by an available police report, body worn camera footage and a ruling from the District Court Judge the day before. The charges against me were appropriately ultimately dismissed but I got no apology, acknowledgement nor compensation from the Commissioner, States Attorney nor the State of Maryland.

As much time and resources as I have put into getting where I am professionally, I recognize that my reputation may never recover from this most recent inappropriately issued warrant. More important is the toll that this has had on my then five-year-old child who began displaying behavioral issues in school. And as much as I have been wronged by this broken Commissioner system, I hope to use whatever remaining resources I have to make sure that this system is changed so that it does not happen to anyone else. It is experiences like mine that make it that much more difficult and stigmatizing for men who have experienced domestic violence to take action and talk about it—especially a six-foot three inch cis-gendered Black man who, up until the aforementioned event, had a spotless record.

While I recognize the need to reduce barriers for people to file complaints, giving a Commissioner the ability to issue arrest warrants based on unverified (and sometimes patently false) testimony puts people's physical and professional lives at risk. These experiences have made it very clear that House Bill 0336 should be passed and enacted as soon as legislatively possible, and I hope that all members of this body will work toward that goal.

Thank you for your time.

Very respectfully,

A handwritten signature in black ink that reads "David E. Myles, MD". The signature is written in a cursive style with a large, stylized 'D' and 'M'.

David E. Myles, MD

Rockville City Councilmember

SA Testimony in Support of HB336 - Court Commissio

Uploaded by: Ivan Bates

Position: FAV



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

HB 0336 Support

February 3, 2026

The Honorable Sandy Bartlett
Chair, Judiciary Committee
House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: Support of HB 336 – Criminal Procedure – District Court Commissioners and False Statements

Dear Chair Bartlett, Vice Chair Davis, and Honorable Members of the Committee,

I am writing to express my strong support in favor of HB336, which aims to amend certain provisions concerning Criminal Procedure – District Court Commissioners and False Statements within the state of Maryland. As Baltimore City State's Attorney, I believe that this bill is crucial in enhancing the integrity of our legal system and safeguarding the rights of individuals.

HB336 proposes several important changes, the most significant being the prohibition of District Court Commissioners from issuing arrest warrants to individuals other than police officers or State's Attorneys. This measure ensures that only authorized personnel with proper training and legal understanding can initiate the arrest process, thereby reduce the likelihood of wrongful arrests and protect individuals from potential abuses of power.

Additionally, the bill seeks to amend penalties for making false statements or reports to governmental officials regarding criminal activities or public safety concerns by increasing the maximum imprisonment term from 6 months to 1 year. The legislation aims to deter individuals from fabricating information that could lead to unnecessary investigations or legal actions that cost innocent people excessive money, time, freedom and happiness.

Furthermore, House Bill 336 reinforces the responsibilities of District Court commissioners in upholding constitutional rights, determining probable cause and ensuring due process for all individuals brought before them. These provisions underscore the importance of fair and impartial judicial proceedings, thereby promoting public trust and confidence in our legal system.



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

As we speak, the current system is being taken advantage of, and citizens are being falsely accused and detained without any evidence ever being presented. This cannot, and should not, continue to be the law of this State.

Based on the hard work of this committee's criminal sub-committee during last year's session, we understand that there are areas of concern that were presented and addressed by my office and that of the sponsor, which we are still in agreement with. We realize that domestic violence victims need the Court Commissioner for potential relief from their alleged abusers. For any CRU case, our suggestion is that we follow the guidance of current law under § 2-608 of the Courts and Judicial Proceedings— Charging Documents Against Law Enforcement Officers, whereas statement of charges filed in District Court against a law enforcement officer, emergency services personnel or an educator who allegedly commits the offense during the course of executing their duties, be forwarded to the local State's Attorney's Office after being filed in the District Court.

Unlike this statute, which has no time limit or recommendation, we would ask that for the purposes of this bill, that the State's Attorney would have a 72-hour window to review the case upon receiving it from the court commissioner, to make the recommendation on whether to proceed, and on whether a summons or a warrant should be issued, before sending it back to the court commissioner. And while this would certainly put a strain on the offices of State's Attorneys from across the state, I feel this would be the best and most prudent way of addressing this current situation in a fair and equitable manner.

In conclusion, I urge you to support House Bill 336. By enacting these proposed reforms, we can strengthen the trust in the judicial process and law enforcement, protect the rights of Maryland residents, and uphold the principles of fairness and accountability within our legal framework.

Thank you for your consideration in this important matter. I look forward to a positive resolution on this critically important bill.

Yours in service,

Ivan J. Bates

Ivan J. Bates
State's Attorney for Baltimore City

SA Testimony on HB336 - Court Commissioner Bill (2

Uploaded by: Ivan Bates

Position: FAV



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

HB 0336 Support

February 3, 2026

The Honorable Sandy Bartlett
Chair, Judiciary Committee
House Office Building
6 Bladen Street
Annapolis, MD 21401

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Furthermore, House Bill 336 reinforces the responsibilities of District Court commissioners in upholding constitutional rights, determining probable cause and ensuring due process for all individuals brought before them. These provisions underscore the importance of fair and impartial judicial proceedings, thereby promoting public trust and confidence in our legal system.



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

As we speak, the current system is being taken advantage of, and citizens are being falsely accused and detained without any evidence ever being presented. This cannot, and should not, continue to be the law of this State.

Based on last year's hard work of this committee's criminal sub-committee, we realize that domestic violence victims need the Court Commissioner for potential relief from their alleged abusers. For any CRU case, our suggestion is that we follow the guidance of current law under § 2-608 of the Courts and Judicial Proceedings– Charging Documents Against Law Enforcement Officers, whereas statement of charges filed in District Court against a law enforcement officer, emergency services personnel or an educator who allegedly commits the offense during the course of executing their duties, be forwarded to the local State's Attorney's Office after being filed in the District Court.

Unlike this statute, which has no time limit or recommendation, we would ask that for these purposes that State's Attorney would have 72-hours to review the case, and make the recommendation on whether to proceed, and on whether a summons or a warrant should be issued. And while this would certainly put a strain on the offices of State's Attorneys from across the state, I feel this would be the best and most prudent way of addressing this current situation in fair and equitable manner. However, I remain open to any committee recommendations on how to improve this legislation.

In conclusion, I urge you to support House Bill 336. By enacting these proposed reforms, we can strengthen the trust in the judicial process and law enforcement, protect the rights of Maryland residents, and uphold the principles of fairness and accountability within our legal framework.

Thank you for your consideration in this important matter. I look forward to positive progress on this bill and its eventual implementation for the betterment of families and communities.

Yours in service,

Ivan J. Bates

Ivan J. Bates
State's Attorney for Baltimore City

Testimony delvon .pdf

Uploaded by: Kiahra Smith

Position: FAV

Good afternoon Madam Chair Bartlett and Madam Vice Chair Davis,

My name is Delvon.

I am writing in support of House Bill 336. I am a 30-year-old male who has been in an abusive relationship with a young woman who has filed several false statements against me. Although I am not the abuser, she is. I have spent 30 days in jail. However, this young woman does not appear in court. She knows how to misuse the system. Whenever she calls the police, they take the young lady's side. She does this because she knows there are no consequences and the judge usually sides with the woman.

I had her arrested for biting my face. The police saw evidence and issued a warrant for her arrest. Once she got out, she called the police and made up a bogus story, and a warrant was issued for my arrest. My family has spent over \$20,000 on lawyers, only for her not to show up in court. She once stated that "the police always take the woman's word, and this is how I keep my housing by claiming abuse."

I have a lot that I can write, but I need this bill to pass because otherwise this young woman and others will continue to misuse the system by making false statements.

She once saw me with another young lady and decided that she would make up a story by telling the police that I stole her phone. I was charged with theft. Again, she did not appear in court. After losing several jobs because of false allegations, I am proud to say that I am now employed, have a car, and am trying to be a productive citizen.

Please pass HB 336.

HB0336_FAV_OFJ_AngelinaScarton.pdf

Uploaded by: Treveric Speaks

Position: FAV



OUT FOR JUSTICE

TESTIMONY IN SUPPORT OF HOUSE BILL 336:

District Court Commissioners and False Statements

TO: Members of the Senate Judicial Proceedings and House Judiciary Committee

FROM: Angelina Scarton

DATE February 3rd, 2026

Members of the Committee, my name is Angelina Scarton. I live in District 30 in Anne Arundel County. I am a member of Out For Justice and support House Bill 336, which limits District Court Commissioners' ability to issue arrest warrants based solely on unverified civilian statements and strengthens accountability for false reports.

I am here because this exact failure in the system cost me nearly everything.

During the COVID pandemic, I was renting a commercial property when I discovered that my landlord was committing tax evasion and was not legally authorized to rent the unit. Once I confronted him and attempted to recover my deposit, he retaliated. Without any investigation or evidence, he went to a District Court Commissioner and had criminal charges filed against me. Those charges were approved based solely on his word. From that moment on, my life unraveled. I was immediately barred from returning to the property and prevented from filing charges against him myself.

The situation escalated when the landlord's friend physically attacked me. Instead of being treated as the victim, he stacked additional charges against me through the same process. Because charges were already pending and I was represented by a Public Defender, I was legally unable to go to the State's Attorney to correct the record or file charges of my own. My attorney could only respond to the accusations as written, not challenge how they were issued. No evidence was ever properly reviewed. No thorough investigation ever occurred.

Because this all happened during COVID, my trial dates were postponed repeatedly. I was eventually arrested on a charge that was later dismissed, but the arrest itself triggered a probation violation. That violation sent me to the Jessup Correctional Institution, where I was held for nearly four months. I was placed in solitary confinement, not because I had done anything wrong, but because they said they could not safely house me in the general population. I spent months isolated, waiting for charges that would later be dropped.



When I finally came home, the damage was already done. I lost my apartment. I lost my car. My credit score dropped to the low 400s. I was four days away from losing custody of my child due to the instability caused by my incarceration. To this day, I am trying to recover.

Nearly all of the charges against me were dismissed or dropped. I accepted Probation Before Judgment on one charge simply to move forward with my life. There was never a trial. My cases officially ended in August 2025. Yet even now, those charges continue to appear on background checks. They even cost me a six-figure job opportunity with NASA. They have blocked me from employment, housing, volunteering, and even becoming a foster parent. The punishment never ended, even though guilt was never established.

House Bill 336 addresses the precise system failure that allowed this to happen. No one should lose their freedom, their family stability, or their livelihood based on unverified accusations and unchecked retaliation. Warrants of arrest should require real evidence and real review before lives are destroyed.

For these reasons, I respectfully urge a favorable report on House Bill 336.

2026_02_03 HB 336 - Citizen Complaints.pdf

Uploaded by: Tiffany Clark

Position: FWA

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Deputy Attorney General



PETER V. BERNS
General Counsel

CHRISTIAN E. BARRERA
Chief of Staff

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

ANTHONY G. BROWN
Attorney General

February 3, 2026

TO: The Honorable J. Sandy Bartlett
Chair, Judiciary Committee

FROM: Tiffany Clark
Director, Legislative Affairs, Office of the Attorney General

RE: House Bill 336 - Criminal Procedure – District Court Commissioners and
False Statements- (Support with Amendments)

The Office of the Attorney General (OAG) supports with amendments **House Bill 336 - Criminal Procedure - District Court Commissioners and False Statements**, which would prohibit district court commissioners from issuing arrest warrants based on private criminal complaints filed by citizens. HB 336 proposes to reform the charging process by ensuring that arrest warrants stemming from citizen complaints receive appropriate review before issuance.

As Maryland's elected Chief Legal Officer, the Attorney General supervises and directs the legal business of the State. The OAG advises and represents State institutions, agencies, boards, commissions, and officials, while representing Maryland's interests in state and federal litigation. The OAG uses its authority to enforce the rule of law, protect Marylanders, and promote the public good.

Addressing Racial Disparities and Unnecessary Pretrial Detention

This legislation directly supports our efforts to address racial disparities in Maryland's criminal justice system and reduce unnecessary pretrial detention, which are critical priorities identified by the Maryland Equitable Justice Collaborative (MEJC). In December 2024, the MEJC approved 18 recommendations for legislative and agency reforms designed to reduce the mass incarceration of Black men and women and other marginalized groups in Maryland prisons and jails. **MEJC Recommendation No. 6 specifically calls for reducing unnecessary pretrial**

confinement by establishing a uniform civilian complaint review process across all State's Attorney's Offices.

Maryland's pretrial system disproportionately confines Black people, with racial disparities embedded in procedural delays, prosecutorial practices, and pretrial decision-making. The civilian complaint process significantly contributes to rising pretrial incarceration rates for individuals who often end up neither prosecuted nor convicted. Under current law, anyone can initiate criminal charges by filing a statement of probable cause with a district court commissioner—without corroborating documentation, prior investigation, or prosecutorial review. In fiscal year 2025, approximately 18,394 nonpolice applications for statements of charges were filed with commissioners, representing over one-third of all charging applications.

This lack of oversight creates systemic problems. Criminal cases initiated by law enforcement typically undergo investigation and review before charges are filed, while citizen complaints may bypass this scrutiny entirely. The ability to secure an arrest warrant without independent verification creates potential for abuse—whether through frivolous complaints, misunderstanding of the law, personal bias, or intentional misuse of the process. Research demonstrates that private citizen complaints can lead to arrests driven by bias or malicious intent, disproportionately affecting marginalized communities, particularly Black people.

By standardizing the warrant application process and requiring applications to be submitted through official channels such as police officers or State's Attorneys, HB 336 would reduce subjective decision-making that contributes to racial disparities. This formalized process would ensure complaints are evaluated based on objective criteria, minimizing the influence of personal or racial biases in determining whether arrest warrants should be issued. The reform would particularly help address unnecessary pretrial detention for low-level offenses, which has been a significant driver of pretrial detention rates for Black and Latinx communities.

Balancing Reform with Access to Justice

The OAG recognizes the critical concerns raised by victims' advocates, particularly regarding survivors of sexual assault and domestic violence who may not be able to rely on law enforcement to file charges or who need access to justice when courts are closed and State's Attorneys are unavailable. We understand that in certain cases—including fourth-degree sex offenses, protective order violations, and other offenses where law enforcement may decline to investigate—the current citizen complaint process serves as an essential safety mechanism.

HB 336 strikes an important balance by preserving citizens' ability to initiate criminal complaints while ensuring that the serious step of issuing an arrest warrant receives appropriate scrutiny. Commissioners would retain authority to issue summonses for citizen complaints, ensuring access to the courts remains available. However, we acknowledge that certain categories of cases may warrant special consideration to protect victim safety while maintaining the bill's core reform objectives.

We understand the sponsor is considering potential carve-outs for specific types of complaints where immediate arrest authority may be necessary to protect public safety. The OAG is

supportive of working with the Committee, the sponsor, and stakeholders—including victims' advocates—to identify appropriate circumstances where exceptions may be warranted, while ensuring any such exceptions are narrowly tailored and include sufficient safeguards against abuse.

Concerns Regarding Enhanced Penalties

While we support the warrant reform provisions of HB 336, the OAG has concerns about the portion of the bill that increases the maximum incarceration penalty for making false statements to a public official from six months to three years. We do not believe that enhanced penalties are effective strategies for deterring criminal activity. Research consistently demonstrates that certainty of consequences, rather than severity of punishment, drives deterrence. Moreover, enhanced penalties contribute to mass incarceration and exacerbate racial disparities in the criminal justice system—outcomes that run counter to the equity objectives underlying the warrant reform provisions of this legislation.

We believe the existing penalty structure, combined with the procedural reforms that reduce opportunities for abuse of the complaint process, provides adequate deterrence against false statements. We respectfully urge the Committee to consider removing the enhanced penalty provision while advancing the critical warrant reform elements of the bill.

Conclusion

The OAG believes the warrant reform provisions of this bill will promote greater consistency and fairness in charging decisions, reduce racial disparities in pretrial detention, minimize potential abuse of the complaint process, and ensure that arrest warrants are issued only after appropriate scrutiny. These reforms align with the evidence-based recommendations of the Maryland Equitable Justice Collaborative and represent a meaningful step toward a more equitable criminal justice system.

We appreciate the General Assembly's work on this important policy and welcome the opportunity to continue dialogue on potential refinements that protect both defendants' rights to fair process and victims' access to justice and safety. For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give **House Bill 336** a favorable with amendments report.

Cc: Members of the Committee

HB 336 UNF TurnAround.pdf

Uploaded by: Amanda Rodriguez

Position: UNF



BILL NUMBER: HB 336

TITLE: Criminal Procedure – District Court Commissioners and False Statements

COMMITTEE: Judiciary

HEARING DATE: 2/3/2026

POSITION: UNF

TurnAround, Inc. is the designated rape crisis center for Baltimore City and Baltimore County and a comprehensive domestic violence service provider. Core components of the agency’s work include crisis response, survivor-centered advocacy, legal referrals, trauma-informed therapy, and community education. TurnAround also serves as the Regional Navigator for Baltimore County and Howard County, providing specialized services to survivors of human trafficking. The organization is a member of the Maryland Coalition Against Sexual Assault (MCASA), the Maryland Network Against Domestic Violence (MNADV), and the Maryland Human Trafficking Task Force (MHTTF).

House Bill 336 would prohibit District Court Commissioners from issuing arrest warrants initiated by individuals other than law enforcement officers or State’s Attorneys. The bill would also increase the penalty for making a false statement or report to a governmental official or unit from six months to up to three years of imprisonment.

If enacted, this legislation would have devastating consequences for survivors of domestic and sexual violence. Survivors need multiple pathways to safety, and access to District Court Commissioners is one such critical pathway. HB 336 would significantly limit this option and place survivors at increased risk of harm.

There are many reasons a survivor may seek assistance from a District Court Commissioner rather than directly from law enforcement. In some cases, an abuser prevents the survivor from contacting police. In others, law enforcement may decline to pursue charges—an unfortunate and well-documented reality in sexual assault cases. As a direct service provider, TurnAround routinely supports survivors in filing charges through the Commissioner’s office following abusive incidents, often in conjunction with petitions for protective orders.

Recently, TurnAround assisted a survivor in pursuing charges through the Commissioner’s office after her rape case had been declined for prosecution multiple times over a seven-year period. Her case was reopened and reinvestigated on several occasions, yet approval from the State’s Attorney’s Office was repeatedly denied. A national expert in sexual violence later reviewed the case and identified serious failures in investigative practices and prosecutorial standards, including unconstitutional racial discrimination, resulting in a profound injustice. Because a District Court Commissioner approved the charges, the case is now pending in District Court,

and the survivor is seeking review by a special prosecutor (See attached Baltimore Banner article).

Unfortunately, this case is not unique in Maryland. For many survivors, the District Court Commissioner is the only available avenue to pursue justice and safety. Allowing a person accused of rape or domestic violence to receive only a summons—thereby remaining free in the community and potentially continuing to terrorize victims—solely because of who initiated the charges is unconscionable.

Domestic violence and sexual assault are already significantly underreported. This legislation would further discourage reporting and remove an essential safeguard. District Court Commissioners are authorized to issue arrest warrants only when probable cause exists and when additional factors are met, including a determination that the defendant poses a danger to another person or to the community. Eliminating this authority would create serious and unnecessary risks for survivors.

The period when a survivor leaves an abusive relationship is widely recognized as the most dangerous time. Restricting Commissioners to issuing only summonses would alert abusers that a report has been made and that a criminal case is pending, without providing meaningful protection to the survivor. This could prevent survivors from reaching safety and expose them to retaliation and further violence.

For these reasons, TurnAround respectfully urges the Committee to issue an unfavorable report on House Bill 336.

For further inquiries, please contact Amanda Rodriguez, Esq., Chief Executive Officer, at arodriguez@turnaroundinc.org, or Jean Henningsen, Chief Communications Officer, at jhenningsen@turnaroundinc.org.

Woman seeks charges in alleged 2018 Randallstown assault after years of refusals

Céilí Doyle

12/24/2025 9:07 a.m. EST, Updated 12/24/2025 9:27 a.m. EST



Shakura has been pushing to hold the man she alleges raped her in 2018 accountable. (Jessica Gallagher/The Banner)

Baltimore County District Court to appoint outside prosecutor or dismiss case

Deep in the Baltimore County District Court building in Towson, Shakura nervously tapped her heels on the linoleum floor.

Years of pain and anticipation led the former Baltimore County resident to this moment — her latest push to hold the man she alleges raped her in 2018



Would a District Court commissioner reopen her case? And, if so, would a judge agree to assign an outside prosecutor to try the man?

The answer? Yes. And, maybe.

Last week, a court commissioner charged Shakura's former Randallstown housemate with three counts of second-degree rape and second-degree assault and issued a warrant for his arrest.

Shakura said she spent the better part of the past decade pleading with the [Baltimore County State's Attorneys Office](#), county police detectives and even county officials to prosecute the man she says raped her three times in the summer of 2018. At Shakura's request, The Banner is using only her middle name because it does not identify survivors of sexual assault without their consent.

On Friday, county State's Attorney Scott Shellenberger and his deputy, John Cox, responded to the 44-year-old's efforts to hold the man accountable by asking the court to dismiss the case.

In a filing later that day, Shakura's attorney, [Robbie Leonard](#), requested the judge appoint a special prosecutor from outside Baltimore County to litigate the case. Leonard, who ran against Shellenberger in 2022, but is not next year, argued that neither the state's attorney nor his deputies could be trusted to prosecute the case on behalf of his client, a Black woman.

"[The office] has acted with **unconstitutional bias, inconsistent and shifting legal justifications**, and **professionally inappropriate conduct** in their refusal to prosecute the perpetrator of the Petitioner's rapes," he wrote, bolding some of the words.

On Saturday, [District Court Judge Dorothy Wilson](#) granted Shellenberger's request to dismiss and quashed the arrest warrant, but she reversed her decision Monday after reviewing Leonard's petition.

Court records now show that a hearing will be scheduled for Wilson to listen to both Leonard and Shellenberger before deciding.

"All of this is painful, of course," Shakura said. "But this is the greatest victory in seven and a half years of fighting for justice."





After reviewing Shakura's petition, a District Court judge is scheduled to listen to both Leonard and Shellenberger before deciding whether prosecution of the case. (Jessica Gallagher/The Banner)

How did we get here?

Anyone can [ask a District Court commissioner to charge someone](#) they say committed a crime.

The commissioner's lobby is similar to the Motor Vehicle Administration — down to the plastic blue chairs and bank teller-esque counter window.

On Thursday, Shakura raised her right hand there and swore she was telling the truth in her application to charge the man. Twenty minutes later a commissioner said the case was reopened.

Her advocate, [Amanda Rodriguez](#), CEO of the nonprofit TurnAround, which [assists survivors](#) of sexual and domestic violence and human trafficking, embraced Shakura.

"I'm in shock," Rodriguez said. "I mean, it's only been eight years."

In multiple interviews Shakura described how her former housemate raped her inside the Randallstown home where they rented separate rooms on June 19,



Initially, Shakura refused to move out, rationalizing in her traumatized state that leaving would grant him power.

“He already raped me and that was so humiliating and this was some random dude. He’s not my spouse or boyfriend ...,” Shakura said. “If I run away and move out, then I’m giving him even more power.”

She changed her mind after considering he could endanger others and reported the alleged rapes to Baltimore County police on July 22, 2018.

Police conducted an investigation, but Lisa Dever, then an assistant state’s attorney, declined to charge the man.

Shakura pressed her case, but Cox and Shellenberger also declined to charge the man over the next several years.

Shakura said that Shellenberger told her in a virtual meeting in September 2021 that he believed her, but could not offer more.

“He said: ‘I believe you, but a jury won’t,’” Shakura recalled.

In an interview with The Banner, Shellenberger said he did not want to address specifics because the case is pending.

During a Southwest Baltimore County Democratic Club town hall in May 2022, Shakura asked Shellenberger if he believed she was raped, according to the petition.

“I do not believe we can prove your case,” he told Shakura. “I do not believe the facts that you revealed the first time to the police amount to a crime in the state of Maryland.”





On Friday, county State's Attorney Scott Shellenberger and his deputy responded to Shakura's efforts to hold the man accountable by asking the court to dismiss the case. (Paul Newson/The Banner)

Two years later, John Magee, chief of the State's Attorney's Office's Child Abuse and Sex Offense Division negated that previous position and presented Shakura's case in July 2024 to a grand jury, which declined to indict the man.

"This lack of transparency, coupled with the office's contradictory statements, raises serious concerns about the good faith of the prosecution," Leonard wrote in his petition for outside counsel.

'Unconstitutional discrimination and bias'

Shakura said she believes Shellenberger's office would have treated a white woman differently.

In the petition, Leonard argues that the state's attorney's office violated his client's constitutional rights and discredited her during the grand jury proceedings.

"Lisa Dever, the first prosecutor to review the Petitioner's case, explained ... she could not prosecute due to her belief that a jury would not believe the Petitioner because she is a Black woman," wrote Leonard, [citing a Baltimore Sun article](#) from July 2022 in which Dever defended her actions.



Dever, whom Shellenberger promoted to the second-highest position in his office, told The Sun she once had a sexual assault case where a juror convinced the rest of the jury not to convict a Black man who reminded her of her son because “all Black women lie,” and the victim was a Black woman.

Dever said that shows how prosecutors’ must factor in jurors’ previous experiences.

“This rationale is fundamentally flawed,” Leonard wrote. “By her logic, if a prosecutor cannot prosecute a case without knowing jurors’ past experiences or what they will bring to a case, the prosecutor is unable to bring charges. *If this argument is true, no prosecutor could ever move forward on any case.*”

Shellenberger did not address Dever’s comments, but said multiple prosecutors in his office reviewed Shakura’s case and determined there was insufficient evidence to arrest the man.

“I believe we’ve made the right decisions throughout this case,” he said. “This office handles all their cases fairly and impartially, and that is what we did in this case.”

Shellenberger emphasized that Magee brought Shakura’s case in front of a grand jury, Shakura had the opportunity to testify and jurors decided not to charge.

Rodriguez, a former Baltimore County assistant state’s attorney, said it makes no sense that a grand jury didn’t indict because the evidence — including a witness statement from another housemate who overheard Shakura resist the man’s advances — was overwhelming.

She also doesn’t understand why the office refused to prosecute the case.

“It’s the million-dollar question,” Rodriguez said. “It’s really concerning to me that there has not been a clear answer and that’s something I think [Shakura] deserves.”

Repeat offenders

This case is [not the first time](#) the state’s attorney’s office has been accused of [mishandling sexual assault cases and survivors](#).

Baltimore County and the state of Maryland paid sexual assault survivor Anna



Shellenberger and county police detectives violated her First Amendment rights.

Amid complaints that county police and the state's attorney were not properly handling sexual assault cases, County Executive [Johnny Olszewski Jr. established](#) the [Sexual Assault Investigations Task Force](#) in 2019.

The task force [found that county law enforcement](#) was reluctant to pursue cases if women could not prove they physically resisted their assailants.

Roland Patterson Jr., president of Baltimore County's NAACP branch, said Shakura's case is the latest example of a pattern of racism and sexism by the state's attorney's office.

He suggested that Dever's comments about Black women lying reveal the office's discriminatory culture.

"It's a double misfortune that [Shakura's] crime and her victimization had to happen in [Baltimore County]," Patterson said. "It's a shame she had to suffer in this county, because in this county, she suffered twice."

Rodriguez explained that many survivors want a judge or jury to review their case to provide closure, and Shakura's case exemplifies just how difficult that is to achieve.

"We are still not — as a society — acknowledging the trauma of sexual violence and we know ... that so few of these cases are even reported ... and then even less are actually charged and even less are actually prosecuted and even less are actually convictions," she said.

Céilí Doyle

ceili.doyle@thebaltimorebanner.com



Céilí Doyle is a regional reporter covering Baltimore County. She comes to Maryland from Texas, where she previously worked as a housing affordability and regional reporter at Houston Landing.



MORE FROM CÉILÍ DOYLE

Baltimore County students plan walkout to protest ICE across multiple high



[Newsletters](#)

Jan 30, 2026

A few things to do in Baltimore County includes live music and a murder mystery

Jan 28, 2026



HB 0336- Criminal Procedure - District Court Commi

Uploaded by: Catherine OMalley

Position: UNF

BILL NO: House Bill 336
TITLE: Criminal Procedure – District Court Commissioners and False Statements
COMMITTEE: Judiciary
HEARING DATE: February 3, 2026
POSITION: **OPPOSE**

The Women's Law Center of Maryland (WLC) is a non-profit legal service and advocacy organization dedicated to ensuring the physical safety, economic security, and bodily autonomy of women in Maryland. While our direct representation projects are limited to primarily survivors of domestic violence, our advocacy is in support of gender justice, because all women are entitled to access to justice, equality, and autonomy. We recognize that all the issues we fight for are interconnected.

HB 336 would prohibit a District Court Commissioner from issuing an arrest warrant to an individual other than a police officer or a State's Attorney. It would increase the penalty for making a false statement or report to a certain governmental official or unit from 6 months to up to 3 years imprisonment.

The Women's Law Center of Maryland believes that this law would put victims of intimate partner violence (IPV) at risk for many reasons. Many times, a victim is restricted from reaching out to law enforcement after an abusive incident. Lack of resources like a cell phone (which the abuser may have confiscated), transportation and or childcare, may delay the ability to immediately seek out the services of law enforcement and or the courts. Having the ability to apply for charges to a District Court Commissioner when a victim is able to is essential. Many of our clients do not realize that the abuse they have experienced is criminal until they seek services from domestic violence advocates and attorneys.

As such, The Women's Law Center of Maryland urges an unfavorable report on HB 336

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.

HB 336 - UNF - House of Ruth.pdf

Uploaded by: Deena Hausner

Position: UNF



House of Ruth Maryland

Domestic Violence Legal Clinic

2201 Argonne Drive, Baltimore, Maryland 21218
(410) 554-8463 • Fax: (410) 243-3014 • www.hruth.org • legal@hruthmd.org
Toll Free: 1-888-880-7884 • Maryland Relay: 711

Bill No.: House Bill 336
Bill Title: Criminal Procedure – District Court Commissioners and False Statements
Committee: Judiciary
Hearing Date: February 3, 2026
Position: **UNF**

House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George’s County, and Montgomery County. House Bill 336 would prohibit District Court commissioners from issuing an arrest warrant to anyone but a police officer or State’s Attorney. **We urge the House Judiciary Committee to unfavorably report on House Bill 336.**

The ability to apply for a statement of charges with a District Court Commissioner and have an arrest warrant issued is an important safety tool for victims of domestic violence. Many victims are unable to call 911 during an abusive incident, either because the abuser takes away or destroys their phone or threatens to kill the victim if they attempt to call 911. Their only recourse in such instances is to go to a District Court Commissioner at the first safe opportunity to do so and apply for a statement of charges. Even when victims are able to call 911 in the midst of an incident of abuse, very often the abuser has fled the scene before police arrive. Victims should not have to rely upon law enforcement or the State’s Attorney’s Office to make the decision to file criminal charges in order to seek redress for these incidents.

In addition to needing the option to file charges for an incident of abuse, many victims also need the opportunity to file charges for violations of protective orders. Curtailing the ability for a victim to apply for an arrest warrant will remove another important safety tool from victims of domestic violence and will lessen accountability for perpetrators of abuse.

The House of Ruth urges the House Judiciary Committee to report unfavorably on House Bill 336.

Letter in Opposition HB336.pdf

Uploaded by: Laura Wilt

Position: UNF



Maryland Crime Victims' Resource Center, Inc.

Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

☎ 877-VICTIM-1 (877-842-8461) ✉ mail@mdcrimevictims.org 🌐 mdcrimevictims.org

**LETTER IN OPPOSITION OF HOUSE BILL 336—
DISTRICT COURT COMMISSIONERS & FALSE STATEMENTS**

Headquarters

1001 Prince George's Boulevard
Suite 750
Upper Marlboro, MD 20774
301-952-0063
877-842-8461 (toll free)
240-929-0526 (fax)

January 30, 2026

The Maryland Crime Victims' Resource Center (MCVRC) respectfully urges an unfavorable report on HB 336. As drafted, this bill places crime victims in dangerous and untenable positions and undermines public safety.

Baltimore

1 North Charles Street
Suite 700
Baltimore, MD 21201

MCVRC understands that House Bill 336 aims to curb the impact of abusive use of the charging process, but this bill goes too far and exposes Marylanders to significant risk.

**Carroll, Howard, &
Baltimore Counties**

Oakland Manor
5430 Vantage Point Road
Columbia, MD 21044
240-335-4032

The proposed carve-out for domestic violence cases recognizes the dangerous of this bill as drafted. MCVRC wants the legislature to acknowledge that it is not just the victims of domestic violence that can be terrorized by a person who has been served with a summons notifying them of charges. Victims of many crimes, not just domestic violence, may be targeted, intimidated, or harmed once an offender is notified of pending charges. It is not just perpetrators of domestic violence that pose a danger to victims pending trial. Many offenders deliberately target their victims and will do so again if given the opportunity.

Eastern Shore

240-335-4012

As an organization that works in every jurisdiction in the State, we speak every day to victims throughout the State that cannot get any responsive action by the police or State's Attorney's Office. Keeping the path to the commissioner open and allowing the commissioner to evaluate the need for a warrant is critical for the safety of those victims in danger and all Marylanders.

**Frederick &
Montgomery Counties**

240-335-4021

There are better solutions to the problem of abusive filings. MCVRC recognizes that people are flawed and will find ways to abuse our legal system. Marylanders bring false charges to the police just as they do to the Commissioner. The solution is not found in eliminating the ability of the Commissioner to issue a warrant. Eliminating a critical safety mechanism does not stop abuse, it only increases risk.

Southern Maryland

301-952-0063

Western Maryland

59 Prospect Square
Suite 6
Cumberland, MD 21502
240-335-4013

Other states have laws that require the Commissioners to submit warrant requests to the State's Attorney's Office, such review required to be done within a short timeframe, often 24 hours. *See Endnote*. This system would allow additional protection for the rights of both the victims and the suspects. Eliminating an option to keep Marylanders safe is not the solution- strengthening oversight while preserving swift intervention is good for all persons. This Bill with the amendments being discussed would limit the enhanced protection of a warrant only to victims of domestic violence thus ignoring the

very real risks faced by victims of other serious crimes. Such a scenario would not treat victims with the dignity, respect, and sensitivity that Article 47 of the Maryland Constitution requires.

MCVRC provides legal services for crime victims throughout Maryland and is the largest nonprofit of its kind in the country. We write on behalf of Maryland's Crime Victims and those who advocate for them. We ask you to give HB 336 an unfavorable report as currently written.

Sincerely,

Laura Corbett Wilt, Senior Supervising Attorney
240-335-4004; lwilt@mdcrimevictims.org

Joined by: Joanna Mupanduki, Deputy Director & Kurt Wolfgang, Executive Director ⁱ

ⁱ In just a quick survey of about 10 states, MCVRC finds that: Pennsylvania and Ohio allow a private citizen's complaint to result in a warrant but require a review by the prosecuting attorney or a 'reviewing official'. PA ST RCRP Rule 506; OH ST § 2935.09(D). Idaho and Arizona allow Commissioners to issue warrants based on Citizen complaints. ID Code § 19-506 (2025) & Arizona [A.R.S. § 13-3897\(A\)](#). Washington State requires review by a Judge for issuance of a warrant. WA ST CR LTD JURIS CrRLJ 2.1-2.2. Northern California requires all requests for arrest warrants be presented to the District Attorney for AG for review and approval. CA R MODOC SUPER CT Rule 6.03.

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HB 336 - MNADV - UNF.pdf

Uploaded by: Laure Ruth

Position: UNF



BILL NO: House Bill 336
TITLE: Criminal Procedure - District Court Commissioners and False Statements
COMMITTEE: Judiciary
HEARING DATE: February 3, 2026
POSITION: **OPPOSE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue an unfavorable report on HB 336.**

House Bill 336 would prohibit a District Court Commissioner from issuing an arrest warrant to an individual other than a police officer or a State's Attorney. It would also increase the penalty for making a false statement or report to a certain governmental official or unit from 6 months to up to 3 years imprisonment. The impact of this legislation, if passed, could be devastating to a victim of domestic violence.

From testimony last year in HB 21 and from conversations in the interim it appears the goal of this bill is to prevent false statements by citizens seeking a statement of charges from a commissioner and stating facts that lead to a warrant being issued rather than a summons. *We agree that false statements can cause harmful and traumatizing behavior*, and our own clients experience this all too frequently when abusers bring false charges against them. However, we have grave concerns about the safety and even lives of true victims who should get a warrant and would only be able to get a summons.

We understand that amendments from HB 21 last year are back up for consideration this year. We do not believe those amendments will prevent the harm that the proponents of this bill are trying to fix. The amendments considered would create an exception for domestic violence victims. In other words, a domestic violence victim could file a statement of charges and if appropriate a warrant rather than a summons would be issued. However, the case would go to the State's Attorney within 72 hours for investigation. This is laudable, but the person may still be arrested and jailed under the warrant while that investigation is going on and it therefore does not prevent the harm to an innocent person. However, if it were inverse - only a summons would be issued but an investigation would happen within 72 hours - the harm to a true victim could be fatal.

Sadly, this exception does not solve the purported problem that proponents of this bill are trying to fix – false charges resulting in a warrant and causing havoc for someone who really did not do what they are accused of doing. **There has to be another way - expanding commissioner's ability to investigate? Having a State's attorney on call for the Commissioner to contact? Contacting the duty judge (there is**

For further information contact Laure Ruth ■ Public Policy Director ■ 301-852-3930 ■ lruth@mnadv.org



someone on duty in every jurisdiction all night and weekends to review probable cause for issuing a warrant)?

Last year's hearing focused on why/when and whether the states' attorneys offices pursue charges against people who file false statements or commit perjury. We do not take a position on increasing the penalty in this bill, but we do think pursuing the false statements and perjury cases might give some bad actors pause. We also wish we had confidence that in an appropriate case law enforcement, if called, would go seek the charges in front of the commissioner themselves. However, our experience is that most of the time law enforcement won't or doesn't do so. In fact, there are times when they won't even file an incident report.

Victims escaping domestic violence need as many pathways to safety as possible. Access to the District Court Commissioners is one of the pathways to safety utilized by victims of domestic violence in Maryland, and HB 336 could put victims at greater risk. There are a variety of reasons why a victim may go to a District Court Commissioner rather than law enforcement, including that their abuser has made it impossible for them to call 911. Domestic violence is already vastly underreported. We should not risk the safety of victims and remove the ability for District Court Commissioners to issue arrest warrants when presented with the requisite probable cause that the defendant committed the underlying charge and other factors are met, such as probable cause to believe that the defendant poses a danger to another person or to the community.

Leaving an abuser is often the most dangerous time for a victim of domestic violence. Therefore, the removal of the possibility for a commissioner to issue an arrest warrant could be incredibly dangerous for a victim of domestic violence. One of the many reasons that a victim of domestic violence might not report abuse is due to subsequent violence they might experience if it is reported. By only permitting the issuance of a summons a victim might not be able to escape to safety. The abuser will be on notice that the victim reported the abuse and that a criminal case is pending.

On a side note, MNADV staffs the DVFRSIT (Domestic Violence Fatality State Implementation Team), a group of stakeholders from around the state that seeks to implement recommendations that arise from reviewing fatalities. Coming from all over the state, one of their recommendations addresses Commissioners:

- District Court Commissioners have been implicated in multiple recommendations emerging from local Domestic Violence Fatality Review Teams, underscoring the need for improved training, consistency, and survivor-centered practices within the commissioner system.

For further information contact Laure Ruth ■ Public Policy Director ■ 301-852-3930 ■ lruth@mnadv.org

1997 Annapolis Exchange Parkway, Suite 300 ■ Annapolis, MD 336401
Tel: 301-429-3601 ■ E-mail: info@mnadv.org ■ Website: www.mnadv.org



- Key concerns include inconsistent decision-making within the commissioner system and the absence of clear, standardized practices in domestic violence cases.
- MD-DVFRSIT has identified the need for sustained, specialized domestic violence training for commissioners, including training on trauma-informed responses and lethality risk factors such as non-fatal strangulation.

Training is not a panacea for the issue addressed in HB 336, as it will not allow commissioners to go beyond the paper in front of them and the testimony given, but it would not hurt.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges an unfavorable report on HB 336.**

Commissioners - safety - testimony - 2026 - UNF.pd

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Position: UNF



Working to end sexual violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
Fax: 301-565-3619

For more information contact:
Lisae C. Jordan, Esquire
443-995-5544
www.mcasa.org

Testimony Opposing House Bill 336
Lisae C. Jordan, Executive Director & Counsel
February 3, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge an unfavorable report on House Bill 336 unless Amended.

House Bill 336 – Commissioners and Safety for Victims of Abuse

House Bill 336 would eliminate the ability of a commissioner to issue an arrest warrant for a statement of charges brought by a non-law enforcement. Instead, only law enforcement or state's attorneys would be allowed to seek an arrest warrant (versus a summons) from a commissioner. Under current law, an individual is able to go to the commissioner and file a statement of charges. *The commissioner then must decide whether to issue an arrest warrant or whether to issue a summons.* An arrest warrant for an abuser can remove the abuser from the community and be life-saving for victims of domestic violence, including victims of sexual violence.

There is no question that reforms of the commissioner system are needed, however, Maryland should not endanger survivors as it seeks to fix the Commissioner system: that would be substituting one problem for another. Survivors continue to face far too many situations where their abuse is dismissed or minimized. They are regularly told to go to the Commissioner for relief. In 4th degree sex offense cases and even some felony sexual assault cases, sometimes law enforcement will not even make a report. States' Attorneys are typically not involved until later in the process and these offices are not staffed to provide the 24/7 coverage commissioners have. Survivors currently may also file a statement of charges for a violation of the protective orders, and depending on the facts, it could result in a warrant rather than a summons. This is another necessity for survivors.

Curtailing the ability for a victim to apply for charges and have an arrest warrant issued will remove an important tool that helps victims of abuse in the most serious cases. Our understanding is that amendments will be offered to continue to allow commissioners to issue arrest warrants when the applicant is a person eligible for relief under the protective order statute (Fam.L 4-501, et seq.). Importantly, amendments will also require that a prosecutor review any

cases where an arrest warrant is issued within a set amount of time (48-72 hours). This will provide an opportunity to ask the court to rescind the warrant and issue a summons in appropriate cases (and also allow the case to be assessed for perjurious statements when appropriate). If additional protections are necessary, such as review of previous cases by the commissioner, then these should be considered as well. MCASA believes these steps will provide a path towards further discussion of reform of the commissioner system without eviscerating a tool currently available for victims.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to report
unfavorably on House Bill 336 unless Amended**

HPP Testimony HB 336- INFO.pdf

Uploaded by: Jessica Emerson

Position: INFO

Testimony of the Human Trafficking Prevention Project

BILL NO:	House Bill 336
TITLE:	Criminal Procedure – District Court Commissioners and False Statements
COMMITTEE:	Judiciary
HEARING DATE:	February 3, 2026
POSITION:	INFORMATION

The Human Trafficking Prevention Project (“HTPP”) is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief. The HTPP respectfully provide this **INFORMATION** to the Judiciary Committee on House Bill 366.

House Bill 336 would restrict District Court Commissioners issuing arrest warrants to those cases filed by the police. In the current system, any individual, not just a police officer, can apply for criminal charges to be filed against someone by filling out and providing an application to a District Court Commissioner. The District Court Commissioner, who typically is not a lawyer, may then issue a summons **or an arrest warrant**. At present, all that is required as per *Md. Code Ann., Cts. & Jud. Proc. § 2-607* to issue an arrest warrant is that the Commissioner find probable cause to believe the defendant committed the offenses charged **and** that

- the accused has previously failed to respond to a served summons or citation, or
- their whereabouts are unknown and the warrant therefore necessary to subject them to the jurisdiction of the court, or
- the accused be in custody for another offense, **or**
- there is probable cause to believe that the defendant poses a danger to another person or the community.

Because the District Court Commissioner lacks the ability to investigate the accuracy or honesty of the allegations put before them, they essentially have only what is claimed in the document itself to make a decision that can lead to the deprivation of an individual’s liberty and all the negative repercussions that come along with it, including loss of employment, housing, the involvement of child welfare services, and the emotional and often physical harm that comes with arrest and incarceration.

At the Human Trafficking Prevention Project, while our clients do indeed utilize this system in order to bring charges against the perpetrators of violence against them without having to engage with law enforcement, they are just as often, if not more often, victims of the blatant abuse of this system **by the perpetrators of their abuse**, who can and do file false charges against them as a method of coercive

control. This then ushers in a cycle of criminalization that is incredibly destructive, and often results in fewer options for our clients to escape their abusers, [given the impact that criminal records have on an individual's ability to obtain safe housing and gainful employment](#). Furthermore, the impact of complex trauma often “plays” very poorly in the context of criminal trials, [resulting in poorer outcomes for traumatized victim-defendants](#).

The HTPP recognizes how victims can suffer abuses on *both sides* of the system, and we strongly reject the narrative that reforms of the criminal legal system are *always* bad for victims; in fact, most reforms are needed and necessary because of how often criminal defendants have been victimized themselves. Therefore, we would welcome an opportunity to examine how to amend the current law so that it provides the opportunity for individuals to request help from the system while protecting *all* victims of abuse from its misuse.

[The Human Trafficking Prevention Project](#) is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief.

*For more information, please contact:
Jessica Emerson, LMSW, Esq.
jemerson@htprevention.org*