



## POSITION ON PROPOSED LEGISLATION

BILL: SB 205 – Public Safety – Crime of Violence – Witness Intimidation  
POSITION: OPPOSE UNLESS AMENDED  
DATE: January 30, 2020

The Office of the Public Defender recognizes that some cases of witness intimidation are violent in nature, and so to that degree, it is justifiable to define witness intimidation as a “crime of violence” under Public Safety § 5-101.

However, the law prohibiting witness intimidation also circumscribes conduct that is not violent *per se*, including merely *verbal* threats, communicating with another to cause that *other* person to intimidate, and using “corrupt means” to influence a victim, juror, witness etc.

The bill should be redrafted to focus only on those facts and circumstances that are in fact violent, harmful, or produce actual damage or destruction. Failing that, it should be opposed as unnecessarily overbroad.