



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 960

**Criminal Law - False Statements - Emergency or Commission of Crime
Statement in SUPPORT**

Chairman Clippinger, Vice-Chair Atterbeary and Members of the Judiciary Committee, thank you for the opportunity to testify today in support of HB960, which will improve the way our state addresses ‘swatting,’ a dangerous practice which poses significant threats to public safety, and unnecessarily drains law enforcement resources.

‘Swatting’ is when an individual exploits the 911 emergency response system by deceiving emergency services with false threats of violence in order to draw a response from law enforcement - typically a SWAT team.

Under current law in Maryland, an individual who engages in this type of practice could be charged with making a false report, which is a misdemeanor punishable by up to 6 months in prison or a fine of \$500. The law is agnostic as to whether harm results from the call, and requires no reimbursement to the local jurisdiction for costs associated with the response. There is also no private right of action for the victim to pursue against the perpetrator. If the perpetrator makes a false statement of a possible detonation of an explosive device, then the penalty jumps to a felony, punishable by up to 10 years and a \$10,000 fine.

HB960 would prohibit a person from making a false claim to law enforcement that results in a response that causes physical harm to the victim. It scales up penalties based on the severity of the outcome, requires the perpetrator to reimburse for costs associated with the false report, and also creates a private right of action for an individual who has been harmed by such a false statement.

In Maryland we’ve seen several high profile instances of swatting, one of them recently in my district in Wheaton where a SWAT team was sent to a Wheaton home in response to a police call claiming a resident had shot his mother. Thankfully the resident was not home at the time and the incident did not result in physical harm. In 2015, a Baltimore man suffered serious injuries to his lungs, chest and face as a result of a swatting incident, costing \$10,000 in damages for the Howard County Police Department.

Other states have begun to update their laws in response to a nation-wide effort to address swatting. The following states have laws that now prohibit swatting - California, Colorado, Connecticut, Illinois, Kansas, Louisiana, Michigan and New Jersey. In Seattle, there is a registry for those who believe that they will fall victim to swatting tactics. Currently, the Washington legislature is working on a similar bill to HB960 as well.

I respectfully request a favorable report on HB960. Thank you.