



VINCE CANALES
STATE PRESIDENT

Maryland State Lodge
FRATERNAL ORDER OF POLICE

1506 LESLIE ROAD, BALTIMORE, MARYLAND 21222



KENNY SCHUBERT
SECRETARY

EARL KRATSCH
TREASURER

RE: HB1197 – Criminal Procedure – Pretrial Release – Assault on Law Enforcement Officer (Police Protection Act)

Position: SUPPORT

Chairman Clippinger and Distinguished Members of the House Judiciary Committee:

The Maryland Fraternal Order of Police SUPPORTS House Bill 1197. This bill prohibits District Court Commissioners from authorizing pre-trial release of defendants who assaulted a police officer.

The most dangerous members of our society are those that would attack the protectors of the innocent. Someone who assaults a police officer presents an extreme danger to the community and a hasty pre-trial release of such an individual places citizens and police officers in danger all over again. Eventually, this subject will be required to attend court, but such an individual has already demonstrated their contempt for the rule of law. By assaulting a police officer, they are making a statement that they do not submit to our society's justice system, and they present an increased risk of failing to appear for a scheduled court date.

When a bench warrant is issued, law enforcement officials must again confront the defendant who is already known to be willing to use force against those law enforcement officers charged with his arrest. The probability of another confrontation and assault is increased, and so is the likelihood of injury or worse to the police officers and the defendant.

It is important to note that this bill does NOT fully prohibit a defendant from participating in pre-trial release programs. Instead, it places the decision for pre-trial release with a judge, instead of a court commissioner. In front of a judge, a more detailed analysis of the defendant's propensity for violence, threat to public safety, and the severity of his or her alleged crime can be undertaken by an experienced judicial officer. We can therefore be assured that a more complete and learned analysis of the situation is undertaken to ensure the best result for the safety of law enforcement officers, the defendant, and the public at large.

For these reasons, the Maryland Fraternal Order of Police SUPPORT House Bill 1197 and we respectfully ask for a favorable report.

Sincerely,
Michael Young,
Second Vice President – MSL, FOP