

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 968
Regulated Firearms – Straw Purchase - Penalties
DATE: February 12, 2020
(3/4)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 968. This bill prohibits the court from suspending any part of a mandatory minimum sentence for a violation of §5-141 of the Public Safety Article.

The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when imposing a sentence. Provisions that place restrictions on the judge prevent the judge from considering legislative intent or factors unique to the case. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual defendant and the crime.

cc. Hon. Nicholas Kipke
Judicial Council
Legislative Committee
Kelley O'Connor