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To: Members of The House Judiciary Committee

From: Richard A. Montgomery III
Director of Legislative & Governmental Relations

Date: March 12, 2020

Subject: HB 1458 - Maryland State Commission for Criminal Sentencing Policy – Sentencing Guidelines –Plea Agreements

Position: Oppose

The Maryland State Bar Association (MSBA) opposes House Bill 1458 - Maryland State Commission for Criminal Sentencing Policy –Sentencing Guidelines –Plea Agreements.

House Bill 1458 would require that a sentence imposed as part of a plea agreement may not be deemed to be compliant with the sentencing guidelines unless the sentence falls within the actual sentencing guidelines range. The MSBA opposes HB 1458 because we believe that the provisions of the bill would constrict judicial discretion by discouraging perfectly compliant use of plea agreements that result in incarceration periods that either fall below, or exceed sentencing guidelines applicable

Accordingly, the MSBA urges an Unfavorable Committee Report on House Bill 1458..

Should you have any questions, please contact me at the MSBA Legislative Relations Office at (410)-269-6464 or richard@msba.org