

**Bill Number: HB 195**  
**Scott D. Shellenberger, States Attorney for Baltimore County**  
**Opposed**

**WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,**  
**STATE'S ATTORNEY FOR BALTIMORE COUNTY,**  
**IN OPPOSITION OF HOUSE BILL 195**  
**DISTRICT COURT COMMISSIONERS – ISSUANCE OF ARREST WARRANT**

I write in opposition to House Bill 195. That would dramatically change the way criminal charges have been issued in Maryland for decades.

First, House Bill 195 would eliminate the ability of a civilian to seek and obtain charges against those who committed a crime upon them. It has been the policy in most jurisdictions in the State that when a crime is committed by one civilian against another and not viewed by a law enforcement officer, the officer will write a police report then instruct the citizen on how to obtain charges. House Bill 195 would prevent a citizen from obtaining charges and require the police to do all the charging even when seeking a summons.

This will have a severe chilling effect on the rights of victims of crime to seek redress in the courts. This means even a store security guard could not take out shoplifting charges against a thief that he observed stealing items. This will also have the effect of having police officers on the street for less time while they sit in District Court Commissioner Offices waiting to take out charges. This will also increase police budgets, as officers will likely have to receive overtime to take out charges.

In Baltimore County, our District Court handles approximately 30,000 cases per year. If half our cases charged by civilians, which they likely are, you will have officers in one county sitting in commissioner's offices for 15,000 cases that previously they did not have to.

Next, House Bill 195 eliminates the ability of even a police officer to obtain an arrest warrant from a commissioner. It is the common practice that when the police investigate a serious crime and have determined who committed that crime, if the person is not right in front of them, they apply for a statement of charges and a warrant from the commissioner. This Bill would prevent that from ever happening/ If a drug dealer, violent criminal, child abuser, or murderer cannot be immediately found or steps over the Maryland State line, practically nothing can be done. Apparently, a summons can be issued but that has affect if the criminal doesn't feel like coming to court immediately. We would lose our ability to catch a fleeing criminal and bring them to justice. We could not pick up and extradite a murderer who had fled to another State. Clearly, this cannot be what the innocent citizens of the State want.

I urge an unfavorable report.