

**Bill Number: HB 365**  
**Scott D. Shellenberger, State's Attorney for Baltimore County**  
**Opposed**

**WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,**  
**STATE'S ATTORNEY FOR BALTIMORE COUNTY,**  
**IN OPPOSITION TO HOUSE BILL 365**  
**OFFICE OF THE ATTORNEY GENERAL – PROSECUTION OF POLICE OFFICER**

I write in opposition to House Bill 365 that empowers the Attorney General to prosecute serious bodily injury or death cases caused by a police officer.

The State's Attorney of each county and the city are elected by the people of their jurisdiction to handle all criminal prosecutions and to make all decisions concerning the prosecution of criminal cases. This is our constitutional and statutory duty.

House Bill 365 would also give that power to the Attorney General. The Attorney General is a State wide office with no local connections, no experience in police shooting cases, and no unit currently devoted to prosecuting homicide cases. The Attorney General's Office will have to create a new unit and attempt to add experienced prosecutors to this unit who need to be specially trained in this area of law. Therefore, a fiscal note for House Bill 365 will likely be high. A similar bill, Senate Bill 600 had a fiscal note of \$800,000.00 per year. But, Senate Bill 600 was limited to death cases involving a police officer. By adding "serious bodily injury" cases this will increase the laws fiscal note on Senate Bill 600 to well over a million dollars per year.

If bad decisions concerning police actions are made by local prosecutors they will be voted out of office. Do not usurp the Constitutional duty of every elected State's Attorney in the state.

I urge an unfavorable report.