

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Joseph M. Getty  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 396  
Crimes – Firearms – Penalties and Procedures (Violent Firearms  
Offender Act of 2022)  
**DATE:** February 2, 2022  
(2/16)  
**POSITION:** Oppose

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The Maryland Judiciary opposes Senate Bill 396. This bill establishes and alters various penalties and conditions of sentencing regarding certain firearm-related violations.

This bill contains numerous mandatory sentencing provisions – including mandatory minimum sentences, mandatory consecutive sentences, prohibitions on suspension of sentences, and limitations on parole eligibility. 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 sentencing 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. Bill Ferguson  
Judicial Council  
Legislative Committee  
Kelley O'Connor