

SB0057-JPR_MACo_SUP.pdf

Uploaded by: Kevin Kinnally

Position: FAV



Senate Bill 57

Criminal Law – Public Safety – Communications With Public Safety Answering Points

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

Date: January 19, 2022

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** SB 57. This bill would strengthen state laws to protect 9-1-1 centers from malicious threats that disrupt emergency communications and jeopardize public safety.

In 2019, the General Assembly passed Carl Henn's Law, landmark legislation to update state laws and the 9-1-1 financing system to provide the flexibility and resources needed for the deployment of a statewide Next Generation 9-1-1 (NG911) system that Maryland residents expect and deserve. As Maryland accelerates its move toward NG911, proper safeguards are necessary to protect against new and evolving threats.

SB 57 generally prohibits any actions that intend to interrupt or impair the functioning of a 9-1-1 center. Additionally, the bill expressly prohibits "swatting," where an individual places a phony 9-1-1 call, often alleging a hostage situation or other serious circumstances, with the intention of dispatching law enforcement personnel to an address where no emergency exists. By weaponizing 9-1-1, swatting places first responders and civilians in danger, and drains limited public safety resources.

The bill prohibits a person from knowingly making a statement, report, or complaint to a 9-1-1 center. A violator is guilty of a misdemeanor and subject to the existing penalty of imprisonment for up to six months and/or a fine up to \$500. The bill also prohibits a person from committing a prohibited act that results in law enforcement personnel being dispatched to respond to the statement, report, or complaint. A violator is guilty of a felony and subject to imprisonment for up to three years and/or a \$5,000 maximum fine. Finally, under the bill, an act of swatting that results in serious bodily injury to any person is a felony and subject to imprisonment for up to five years and/or a \$25,000 maximum fine.

By strengthening state laws to protect 9-1-1 centers from malicious attacks and dangerous swatting incidents, SB 57 would enhance public safety in Maryland and in our local communities. Accordingly, MACo urges the Committee to issue a **FAVORABLE** report on SB 57.

SB57 - Cunningham Testify.pdf

Uploaded by: Randall Cunningham

Position: FAV



January 14, 2022

Senate Bill 57 (SB0057)

Written Testimony in SUPPORT

Randall J Cunningham
Harford County Department of Emergency Services
2220 Ady Rd
Forest Hill MD 21050

Good Afternoon Members of the Senate:

My name is Randall Cunningham, and for the past year two years, I have been the Chairman of the Cybersecurity and Technology Subcommittee for the Maryland Next Generation 9-1-1 Commission, and I am also a Technology Manager for the Harford County Department of Emergency Services.

I would like to provide some further insight into SB0057, Criminal Law – Public Safety – Communications With Public Safety Answering Points.

Over the past 20 years supporting 9-1-1 in Harford County, I have witnessed significant changes from what was previously a very simple procedure for a resident calling for help, to what is progressing to be a highly technical system, interconnected, and communicating across jurisdictions, and states.

The methods of calling 9-1-1 have expanded from only using a simple home phone, to those that now allow cell phones, automated equipment, and wearable devices to call for help. Along with the simple call for help, your phone and equipment now transmit data such as Global Positioning System (GPS) location, camera images, and other essential information to help process your call.

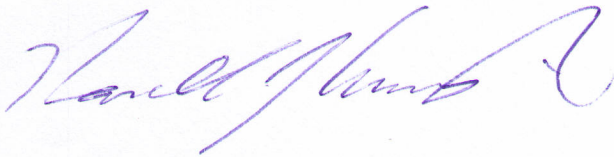
Because of the technical nature of the data and the methods that it can be delivered, there is also the ability for an individual to use the systems to send false data or misrepresent themselves with the intent to do harm to others, all without making an actual phone call.

(1)

Many times, individuals make the calls, with the intention of forcing an emergency response by Fire, Police or Medical responders to a fake or nonexistent emergency. Other times the calls are made, with the intention of falsely reporting a crime, intending to harm innocent individuals.

Senate Bill 57 further defines these types of malicious acts and adds those to existing laws meant to protect not only individuals, but the PSAP itself, as well as the emergency responders. Senate Bill 57 also defines stronger penalties for those acts that are intended for or resulting in, impairing the function of a PSAP, disrupting, or forcing an emergency response, or any violation that results in bodily injuries to a person when responding to the malicious calls.

By supporting Senate Bill 57, you are allowing law enforcement and the judicial system to prosecute those malicious actors.

A handwritten signature in blue ink, appearing to read "David J. Smith", is written in a cursive style.

SB57 Written Testimony - FAVORABLE - MDEM.pdf

Uploaded by: Russell Strickland

Position: FAV

SUPPORT

SB0057 - Criminal Law - Public Safety - Communications with Public Safety Answering Points

Written Testimony of Acting Secretary Russell J. Strickland
Maryland Department of Emergency Management
Committee: Judicial Proceedings
Hearing Date: 19 January 2022

Senate Bill 0057 is a crucial step toward protecting access to critical emergency services for Maryland residents. This bill will criminalize actions taken intentionally to disrupt the operations of Maryland's Public Safety Answering Points (also known as 9-1-1 Centers), the universal access point to emergency services for the public. The Maryland Department of Emergency Management, home to the Maryland 9-1-1 Board, recognizes the importance of this bill and we respectfully request a **favorable report**.

The criminalization of intentional actions taken to disrupt the 9-1-1 system is an important step to ensuring those who seek to interrupt the 9-1-1 and public safety dispatch system in Maryland are held responsible. The 9-1-1 system is the first step in the public safety chain, and it is imperative that the public have unfettered, uninterrupted access to this first step.

This bill also seeks to criminalize occurrences when an individual intentionally calls 9-1-1 with knowingly false information for the purposes of dispatching law enforcement response to an individual who the caller knows to be innocent, or with the specific purpose of causing bodily harm to an individual. These calls do not only place law enforcement and innocent individuals in grave danger, but they erode the public's confidence in our public safety systems. The impact of that erosion has negative impacts for all public safety and emergency services, including emergency management.

In summary, the Maryland Department of Emergency Management respectfully requests a **favorable report** on Senate Bill 0057.

SB57_ Swatting Testimony .pdf

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN
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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

SB57: Criminal Law - Public Safety - Communications with Public Safety Answering Points

Senate Judicial Proceedings Committee

Wednesday, January 19, 2022 | 1pm

This legislation came before the Judicial Proceedings Committee in both [2020](#) and [2021](#). After meeting with Committee Counsel over the summer, we have narrowed the scope of the legislation to better address the issue of making a false report to a 9-1-1 Center.

Someone who called the police to report a fake crime used to be viewed as a harmless prankster. Today, these individuals are much more sophisticated and dangerous. Deliberate, fraudulent schemes to mislead our police can have tragic consequences. SWAT teams rush to stop an “armed and dangerous criminal,” but instead barge into the home of an innocent resident. The resulting chaos can [result in injuries or fatalities](#). Additionally, interrupting 9-1-1 services wastes time and resources that should be reserved for actual emergencies.

This crime is not hypothetical. In 2019, syndicated newspaper columnist Leonard Pitts, Jr. was in his Bowie home [when police showed up, ordered him to his knees, and handcuffed him](#). Police later explained that a caller had falsely accused him of murdering his wife.

Numerous residents—particularly African-Americans—[fall victim to this calculated crime of harassment](#). In August of 2020, Los Angeles PD surrounded [Melina Abdullah](#)’s house because they got a call that she and her children were being held hostage by a man demanding one million dollars. Abdullah, the co-founder of Black Lives Matter Los Angeles, [streamed the incident](#) on her Instagram page. Attached, you will find additional examples of swatting, including those that turned deadly.

The problem is real, and we must address it.

In Maryland, penalties under current law for making false reports (swatting) are insufficient to deter these crimes. Currently, convicted individuals are subject to imprisonment up to 6 months and/or a fine of up to \$500. The NG911 Commission recommends two additional penalties:

- If law enforcement is dispatched to a scene based on a false report, the criminal will face imprisonment for up to 3 years and/or a fine up to \$5,000; and
- If serious bodily injury (including death) occurs, the criminal will face imprisonment for up to 5 years and/or a fine up to \$25,000.

Data shows that there continues to be an “[influx of swatting incidents](#)” across the country. We must take action to increase our penalties. **I urge a favorable report on SB57.**

Ferretti - Written Testimony SB0057.pdf

Uploaded by: William Ferretti

Position: FAV

SB0057: Criminal Law – Public Safety – Communications With Public Safety
Answering Points

Wednesday, January 19, 2022, 1:00 PM

My name is William Ferretti. I am a former 9-1-1 Director for Montgomery County. I also had the pleasure to serve on the Commission to Advance NG911 Across Maryland, first as a member of the Commission and then after my retirement from the County, as an advisor.

The delivery of Public Safety Services to the public is one of the most important functions of local government. Effective Public Safety responses to citizens in need start with the first of the first responders in Maryland's 9-1-1 centers. Unfortunately, we as a state and a country have had to contend with the phenomena known as SWATTING- intentionally providing fake information through a 9-1-1 center or public safety agency in order to garner an elevated police response, usually in an attempt to get SWAT (Special Weapons and Tactics) teams to be sent to the address of an innocent person.

Current Maryland Criminal Law is insufficient to deter these acts and because these acts can be done from afar, bringing charges that can lead to a successful prosecution is difficult, if not all but impossible. SB0057 seeks to provide enhanced felony penalties in these instances especially when the result leads to serious bodily injury, whether that be to a first responder or member of the public.

I urge you to support SB0057 with a favorable recommendation.

A handwritten signature in blue ink, appearing to read 'William Ferretti', with a stylized flourish at the end.

William Ferretti