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Health and Government Operations
Committee

Chair

Government Operations and
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Joint Committee on Administrative,
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Testimony of Delegate Samuel I. Rosenberg
Before the House Judiciary Committee
In support of
House Bill 472
Criminal Law - Executive or Legislative Proceedings - Obstruction

*"There is no grievance that is a fit object of redress by mob law."*¹ Abraham Lincoln,
1838.

*"I am in the House Chambers. We have been instructed to lie down on the floor and put on our gas masks. Chamber Security and Capitol Police have their guns drawn as protestors bang on the front door of the chamber."*² Tweet from Representative Dan Kildee of Michigan on January 6, 2021.

Mister Chairman and Members of the Judiciary Committee:

House Bill 427 would criminalize obstructing or impeding an official proceeding of the executive or legislative branch. Our law already treats such criminal acts that disrupt the administration of justice by the judiciary.

The purpose of this bill should be clear to every member of this assembly. It is intended to protect the operation of all three branches of state government from events like those that at the United States Capitol on January 6, 2021.

Since then, there have been numerous incidents where government actions have been intentionally disrupted by conduct that is not protected by the First Amendment.

¹ Lincoln, Abraham; Lyceum Address; January 27, 1838;
<http://www.abrahamlincolnonline.org/lincoln/speeches/lyceum.htm>.

² <https://twitter.com/RepDanKildee/status/1346907565482004495>

HB 427 is about protecting the democratic processes by which laws are made and the people of Maryland are governed. This bill would ensure that any person who attempts to criminally interfere with the basic functions of the legislature or executive is punished.

Currently there is no statute in this state, or any other, that specifically punishes a person who obstructs legislative or executive actions. The importance of deterring such actions cannot be understated.

The elected members of the Maryland General Assembly and our staff enact the public policy that governs and benefits the people of this state. The members of the executive branch, from Cabinet Secretaries to rank and file employees, serve the people of this state by faithfully carrying out the laws that we enact.

To ensure that our three branches of government continue to function, uninterrupted and unimpeded, I respectfully urge the committee to give House Bill 472 a favorable report.

February 8, 2022