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To: Members of The House Judiciary Committee

From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

Date: February 4, 2022

Subject: **HB437 – Public Safety – Communications with Public Safety Answering Points**

Position: **Support with Amendment**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports HB437 – Public Safety – Communications with Public Safety Answering Points with a suggested amendment.**

This bill makes it an offense to intentionally use telephone or other electronic means to impair the functioning of a Public safety answering point, such as those for 911 calls and other emergency matters, or to intentionally attempt to disrupt an emergency response. It also makes it an offense to false report a crime to an answering point if it results in a law enforcement response or serious bodily injury to someone.

The bill addresses a real problem that has arisen and fills a gap in the current law. The proper function of emergency services is essential to public safety. Acts that imperil or disrupt that function can have serious consequences. Likewise, the knowing making of a false complaint can, and has, serious consequences on innocent parties.

The Committee, however, is disturbed by the classification of the new offenses as felonies, which does not seem warranted and which can have life-long consequences far beyond any immediate punishment. We therefore suggest amending the bill to classify the offenses as misdemeanors. With the penalties provided in the bill, there would be no negative impact on the ability to prosecute offenders based on this change in classification.

For the reasons stated, we **Support HB437 – Public Safety – Communications with Public Safety Answering Points with the suggested amendment to classify the new offenses as misdemeanors.**

If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@verizon.net.