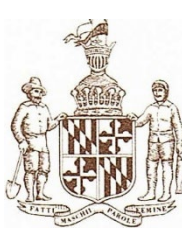


**TERRI L. HILL, M.D.**  
Legislative District 12  
Baltimore and Howard Counties

Health and Government Operations Committee

*Subcommittees*  
Government Operations and Health Facilities

Public Health and Minority Health Disparities



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February 8, 2022

## **SUPPORT**

### **HB 437**

#### **CRIMINAL LAW – PUBLIC SAFETY – COMMUNICATIONS WITH PUBLIC SAFETY ANSWERING POINTS**

Chairman Clippinger, Vice-Chairman Moon, and Members of the Committee,

**HB437** is product of the Next Generation 9-1-1 Commission, as it closes out its vital 3-year mission to make recommendations for transforming the infrastructure, systems, and processes of emergency answering systems state-wide for putting Maryland in the best position to optimize public safety and meet the technological and operational challenges of emergency service management in the 21st century.

The bill adds swatting of Public Safety Answering Points (PSAPs or 9-1-1 operator answering centers) to the list of criminal offences that can be implemented via telephone, computer and data technology, defining it as a felony and raising associated penalties. This year's legislation differs from legislation introduced in either chamber the past 2 years by tightening definitions to avoid criminalizing behavior considered unintentional or otherwise innocent, and by separating it from legislation designed to address doxxing.

**Swatting** is maliciously and with will-intent contacting 9-1-1 and making a knowingly false accusation.

**Doxxing**, or contacting to overload the lines, shut down the PSAP, prevent legitimate calls from getting through, or otherwise disrupt its communications, is addressed in a separate senate bill.

Swatting is particularly popular in the online gaming community, and for targeting celebrities and public figures, as a means of stalking or exacting revenge for a real or perceived slights. While the stated intent of swatting may be as a prank, at a minimum it results in misuse of public resources and, at the extreme, in serious bodily or psychological injury and even death. The risks for injury and death are not limited to the target and the responding emergency personnel. It also presents risks to the public at-large, including persons along the emergency response route, those near the site of the response–target interaction, and those experiencing true emergencies from which resources have been diverted.

Whether perpetrated via telephone, gaming council, computer or other technology the effects and potential harm is the same and, under this bill, the penalties are as well. Public safety professionals attest that these are not rare events, but are largely kept out of the public eye so as to mitigate copycat activity. One event is too many if it results in an unnecessary, life-altering, devastating outcome.

Under **HB1437**, with respect to calls or other communications to a PSAP, the crime and maximal penalty are:

- 1) To annoy, abuse, torment, harass, or for making a comment, request, suggestion, or proposal that is obscene, lewd, lascivious, filthy, or indecent → misdemeanor/3 years/ \$500. (UNCHANGED)
- 2) To impair the functioning of the PSAP or with intent to disrupt an emergency response → felony/ 5 years/ \$25,000.
- 3) Known false statement, report, or complaint with intent to deceive and to cause an investigation or other action to be taken as a result → misdemeanor/ 6 months/\$500. (UNCHANGED)
- 4) Known false statement resulting in law enforcement personnel being dispatched → felony/ 3 years/ \$5,000.
- 5) Known false statement resulting in serious bodily injury to any person → felony/ 5 years/ \$25,000

I request a favorable report.

Handwritten signature of Terri L. Hill in black ink, with a stylized 'T.L.H.' and a flourish.