



**CALVERT COUNTY
BOARD OF COUNTY COMMISSIONERS**

175 Main Street
Prince Frederick, Maryland 20678
410-535-1600 • 301-855-1243
www.calvertcountymd.gov

Board of Commissioners
Mark C. Cox Sr.
Catherine M. Grasso
Earl F. Hance
Mike Hart
Todd Ireland

March 17, 2023

The Honorable Senator William C. Smith, Jr., Chair
Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

Re: HB1174 – Authority for the State’s Attorney to appoint the County Attorney to enforce civil citations

Chair Smith:


The Board of County Commissioners for Calvert County writes in **SUPPORT** of **HB1174** and requests a **FAVORABLE** Committee report. This request extends the existing municipal infraction enforcement provisions of Code counties to Calvert, a Commissioner county. Enabling the State’s Attorney delegate enforcement of municipal infractions to a County attorney is expected to increase governmental efficiencies.

For background, Calvert is one of a few remaining counties with the Commissioner form of government. As such, the Board of County Commissioners have only the powers granted by the State. For Code Counties, Charter Counties, and municipalities, there exist provision of State law that allow the State’s Attorney to designate and delegate to the county or municipal attorney power to prosecute civil citations, such as violations of local ordinances. There is not a companion law for Commissioner Counties. To relieve the burden upon the State’s Attorney to also learn the local ordinances and laws, we propose that legislation be passed allowing the State’s Attorney to delegate power to the county attorney to prosecute civil citations. Our request is to replicate the provision available in Code counties found at Md. Code Ann., Local Gov. Art., § 11-206(b), at § 12-904 of that *Article*, applicable in Calvert County.


Your thoughtful consideration of this request is sincerely appreciated. Should you have any questions or require further information, please do not hesitate to contact County Administrator Julian M. Willis at 410-535-1600, extension 2202 or County Attorney John Norris at 410-535-1600, extension 2566. Thank you for your kind consideration of our position regarding this important local Bill.

Sincerely,

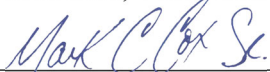
BOARD OF COUNTY COMMISSIONERS
CALVERT COUNTY, MARYLAND



Earl F. Hance



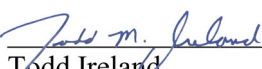
Mike Hart, Vice President



Mark C. Cox Sr.



Catherine M. Grasso



Todd Ireland

cc: Calvert County Senators and Delegation



Circuit Court Division: 175 Main Street • Courthouse • Prince Frederick, MD 20678
410-535-1600 ext. 2369 • 301-855-1243 • MD Relay: 1-800-735-2258 • www.calvertstatesattorney.com

March 3, 2023

The Honorable Luke Clippinger
Chair, House Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401

RE: HB 1174

Dear Chairman Clippinger:

I write in support of HB 1174 and urge a favorable recommendation from your Committee.

The bill permits me, the Calvert County State's Attorney, to delegate authority to prosecute certain county or municipal violations to the Office of the County Attorney. This authority will relieve the State's Attorney's Office of the obligation to handle these cases and allow me to concentrate my limited resources on violations of State criminal and motor vehicle laws.

The municipal infractions in question are filed in the District Court. According to the Maryland Judiciary Statistical Abstract, my five staff attorneys assigned to the District Court handled 2,851 criminal cases and 569 DUI cases in FY 2021. This averages out to 684 cases per attorney per year, which I think is a significant caseload.

The proposed legislation would permit my attorneys to focus on this caseload, while allowing the County Attorney to handle municipal infractions, an area wherein the County Attorney has expertise. I respectfully request the Judiciary Committee to make a favorable recommendation for HB 1174.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Harvey, Jr.", is located below the "Sincerely," text.

Robert H. Harvey, Jr.
State's Attorney