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MEMORANDUM

To: Members of the Senate Judicial Proceedings Committee
From: Maryland State Bar Association (MSBA) - Shaoli Katana, Esq., Advocacy Director
Subject: Senate Bill 744 - Crimes and Corrections – Penalties and Procedures (Violent Firearms Offender Act of 2023)
Date: March 14, 2023
Position: Oppose

The Maryland State Bar Association (MSBA) respectfully opposes **Senate Bill 744 - Crimes and Corrections – Penalties and Procedures (Violent Firearms Offender Act of 2023)**. SB744 establishes that a violation of a condition of probation, parole, or mandatory supervision that involves the use or possession of a firearm is not a technical violation for certain purposes; requires the Commissioner of Correction to provide a certain inmate with a certain reentry kit and assistance in obtaining Medicaid benefits under certain circumstances; alters the elements of certain prohibitions against using a certain firearm in the commission of a certain crime; etc.

MSBA represents more attorneys and judges than any other organization across the State in all practice areas. MSBA serves as the voice of Maryland's legal profession. Through its Laws Committee and various practice-specific sections, MSBA monitors and takes positions on legislation of importance to the legal profession.

SB744 establishes and alters penalties for gun-related crimes and offenses, including several mandatory sentencing provisions. MSBA opposes these provisions of the bill, as they interfere with judicial discretion and a judge's important role in analyzing the particulars of a case and individual circumstances before sentencing.

MSBA has concerns with the details of this legislation and respectfully requests an unfavorable report. For additional information, please feel free to contact Shaoli Katana at MSBA at shaoli@msba.org.