

CAYLIN YOUNG
Legislative District 45
Baltimore City

Judiciary Committee



The Maryland House of Delegates
6 Bladen Street, Room 317
Annapolis, Maryland 21401
410-841-3429 · 301-858-3429
800-492-7122 Ext. 3429
Caylin.Young@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Judiciary Committee

Thursday, March 9, 2023

House Bill 1041 Criminal Procedure – Pretrial Release Restrictions – Firearm Crimes

Dear Esteemed Colleagues,

I am here today before you to urge you to support House Bill 1041 Criminal Procedure – Pretrial Release Restrictions – Firearm Crimes. The proposed bill aims to protect our communities from the danger of pretrial release of defendants charged with firearm crimes. As we all know, the proliferation of illegal firearms in our society has posed a grave threat to our safety and security. Criminals and individuals with access to such firearms are more likely to engage in violent and deadly crimes, and the victims of these crimes are often innocent members of our communities.

This bill prohibits District Court commissioners from authorizing the pretrial release of defendants charged with certain firearm crimes, including transporting a regulated firearm for unlawful sale or trafficking, participating in a straw purchase of a regulated firearm, or possessing an unserialized firearm or unfinished frame or receiver. This is a necessary step to ensure that dangerous individuals are not released into our communities, potentially putting innocent lives at risk. Under this legislation, a judge will have to authorize the pretrial release of a defendant. This legislation establishes a rebuttable presumption that defendants charged with firearm offenses will flee and pose a danger to the community. However, this presumption is not absolute, and defendants will have the opportunity to challenge it and obtain pretrial release if they can overcome the presumption's weight.

It is essential to note that the proposed bill is not intended to increase incarceration rates. This approach strikes the right balance between individual rights and immediate public safety needs, and I strongly urge a favorable report.

Thank you for your time and attention.