

Bill Number: HB 1071

Scott D. Shellenberger, State's Attorney for Baltimore County

Opposed

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN OPPOSITION OF HOUSE BILL 1071
CRIMINAL PROCEDURE – REASONABLE SUSPICION AND PROBABLE CAUSE -
CANNABIS

I write in opposition to House Bill 1071 that creates a statute to set guidelines for searches that involve the odor of cannabis. Regulation of searches and seizures regarding the 4th Amendment have always been determined by the courts. Why now when the Legislature and a referendum is passed concerning cannabis should the Legislature write the rules concerning the 4th Amendment?

Everything in HB 1071 deals with police searches and the 4th Amendment. It should be the court that determines what are a person's 4th Amendment rights.

I urge an unfavorable report.