

SB 1108 Carroll County - Deputy Clerk or Deputy Sheriff - Oath of Office
Judicial Proceedings Committee – March 7, 2024
Sponsor: Senator Justin Ready
Position: Favorable

Testimony of Heather DeWees, Clerk of the Circuit Court, Carroll County

Thank you, Chair William Smith, Jr., Vice Chair Jeff Waldstreicher, and members of the committee, for this opportunity to testify in support of Senate Bill 1108. For the record, my name is Heather DeWees, Clerk of the Circuit Court for Carroll County.

I support SB 1108 because the oath listed in *Maryland Constitution Article I – Elective Franchise, Section 9 - Universal Citation* (also referred to as the *I-9 oath*) is required to be taken by most elected officials in Maryland and Governor appointees. The Sheriff of Carroll County and I both agree that our Deputy Sheriffs and Deputy Clerks should be administered the *I-9* oath instead of the *2-104 (b)* oath for these additional reasons:

- The current oath prescribed by the **2-104 (b)** statute is *limited* and *does not align* with the responsibilities or the full scope of services which Deputy Sheriffs and Deputy Clerks provide to the citizens of Carroll County.
- The current oath prescribed by the **2-104 (b)** statute *does not* require Deputy Sheriffs and Deputy Clerks
 - to bear true allegiance to the State of Maryland and support its Constitution and its Laws.
 - to fulfill their duties (or execute their office) according to the *Maryland Constitution* and Maryland law without partiality or prejudice.
 - to swear or affirm that they will support the *Constitution of the United States*.
 - to perform all duties diligently and faithfully.

- There is already an exception provided to Montgomery County and Washington County for the administration of the *I-9* oath to their Deputy Sheriffs and Deputy Clerks in the *Maryland Statute Courts & Proceedings Title 2 - Court Personnel, Subtitle 1 - Officers, Oaths, and Bonds, Section 2-104 - Oaths or Affirmations (d)*
- This modification would be simple and only affect Carroll County.
- Currently, there is no known opposition to this modification.
- The change in procedure of oath administration would fall solely on the Clerk of the Circuit Court for Carroll County. There would be no fiscal increase for this change in code and no additional training costs associated with the change.

The Sheriff and I propose that if this bill is passed that it be effective immediately upon the Governor signing the bill into law.

I ask for a favorable report on Senate Bill 1108, and I would like to thank Senator Ready for sponsoring this bill. Thank you for the opportunity to comment.