

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 404
Criminal Law – Controlled Dangerous Substances and Firearms
DATE: January 24, 2024
(2/21)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill in its current iteration. Specifically, the Judiciary objects to the mandatory language requiring a hearing as interfering with the Court’s ability to set its own dockets. Holding such a hearing should be discretionary. Additionally, the Petitioner should certify that a copy of the request is sent to the State’s Attorney’s Office rather than the Court. Finally, it is unclear what “substantial injustice to the defendant” means on page 5, line 31 and page 7 line 27, and how the Court should apply that standard.

cc. Hon. William Smith
Judicial Council
Legislative Committee
Kelley O’Connor