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January 23, 2024

TO: The Honorable Will Smith Jr.
Chair, Judicial Proceedings Committee

FROM: Tiffany Johnson Clark
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 34 Courts - Jury Service – Disqualification - **Support**

The Office of the Attorney General urges the Judicial Proceedings Committee to issue a favorable report on Senate Bill 34 sponsored by Senator Jill Carter. Senate Bill 34 would relax the rules that have traditionally prohibited ex-offenders from serving on a jury. Under current law (§ 8-103(b)(4) of the Courts & Judicial Proceedings Article), anyone who is convicted of a crime punishable by imprisonment for more than a year and who in fact receives a sentence of more than a year is permanently disqualified from jury service. The only exception under current law is if the person is pardoned.

Senate Bill 34 would retain the restriction on jury service by persons convicted of a crime punishable by more than one year, but would limit the disqualification only to the time that the person is serving the sentence imposed for the conviction, including any term of probation. Once ex-offenders have served their sentence and probation, they would be free to serve on a jury despite the prior conviction. (The bill would also repeal, as no longer necessary, the proviso for qualification if a person has been pardoned.)

Senate Bill 34 advances sound policy, consistent with the legislature’s prior actions to “ban the box” (2020 Md. Laws ch. 8) and to eliminate voting restrictions on persons with felony convictions once their sentence has been served—measures that facilitate a person’s transition back to being a contributing member of the community after serving a sentence.

For these reasons, the Office of the Attorney General urges a favorable report on Senate Bill 34.

cc: Senator Jill Carter