

**2024 SB1108 Testimony For 2024-03-07.pdf**

Uploaded by: Alan Lang

Position: FAV

## Testimony for SB1108

Please vote for SB1108.

I would think that everyone involved in law enforcement should take an oath to follow the US and Maryland Constitutions per Article I, § 9.

I swear/affirm to support the U.S. Constitution; be faithful and bear true allegiance to the State of Maryland and support its Constitution and laws; and, to the best of one's skill and judgment, diligently and faithfully, without partiality or prejudice, execute the respective office, according to the Constitution and laws of the State

The current oath per §2-104 (b), does not seem sufficient by itself, but could be taken in addition to the constitutional oath.

§2-104.

(a) Every auditor, clerk, sheriff, constable, commissioner, surveyor, or other officer before he assumes the duties of his office, shall take and sign the oath or affirmation prescribed by the Constitution.

(b) Except as provided in subsection (d) of this section, every deputy clerk or sheriff shall take and subscribe the following oath or affirmation: "I, A.B., do swear (or affirm) that I will not for lucre or malice delay any person applying to me for any business belonging to the office I officiate in, and that I will not directly or indirectly ask, take, exact, demand, or receive from or charge to any such person to my own use any fee or reward whatsoever for any services I may do as deputy of the said office, and that in making out the office fees I will not wittingly or willingly charge other or higher fees than are allowed by law."

(d) In Montgomery County and Washington County, every deputy clerk or deputy sheriff shall take and sign the oath or affirmation prescribed by Article I, § 9 of the Maryland Constitution.

I believe all the deputy sheriffs in every jurisdiction should be required to uphold the US and State constitutions.

Please vote for SB1108, so that those in Carroll County will be required to take the better oath of office..

Alan Lang  
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Pasadena, MD 21122  
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# **Testimony SB1108 Carroll Oath Bill Testimony DeWee**

Uploaded by: April Rose

Position: FAV

**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.

**CC Oath of Office letter of support SB 1108.pdf**

Uploaded by: Justin Ready

Position: FAV



THE MARYLAND GENERAL ASSEMBLY  
LEGISLATIVE DISTRICT 5  
CARROLL COUNTY

March 7, 2024

The Honorable Will Smith  
Senate Judicial Proceedings Committee  
Miller Senate Office Building, 2 East  
11 Bladen Street  
Annapolis, Maryland 21401

RE: **Carroll County Senators Letter of Support**  
**Senate Bill 1108 – Carroll County – Deputy Clerk or Deputy Sheriff -Oath of Office**

Dear Chairman Smith, Vice Chair Jim Waldstreicher, and members of the Judicial Proceedings Committee,

The Carroll County Senate Delegation would like to notify the Senate Judicial Proceedings Committee of their support for Senate Bill 1108 – Carroll County – Deputy Clerk or Deputy Sheriff – Oath of Office.

The above referenced bill was considered by the Carroll County Senate Delegation was subjected to a bill hearing. The Carroll County Senators and Delegates voted unanimously in favor of the bill.

Sincerely,

A handwritten signature in black ink that reads "Justin Ready".

Senator Justin Ready  
Chair, Carroll County Senate Delegation

# **SB1108 Carroll County - Deputy Clerk or Deputy She**

Uploaded by: Justin Ready

Position: FAV



JUSTIN READY  
Legislative District 5  
Carroll County

MINORITY WHIP  
Finance Committee



James Senate Office Building  
11 Bladen Street, Room 315  
Annapolis, Maryland 21401  
410-841-3683 · 301-858-3683  
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Justin.Ready@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

March 7, 2024

**Senator Justin Ready**  
**SB 1108 Carroll County – Deputy Clerk or Deputy Sheriff – Oath of Office**

Chair Smith, Vice Waldsteicher, and members of the Judicial Proceedings Committee:

Senate Bill 1108 was requested by the Carroll County Clerk of Court. It would make a change to the current oath that is prescribed by current Maryland Law for Deputy Sheriffs and Deputy Clerks in Carroll County. The Sheriff of Carroll County and the Clerk of the Circuit Court for Carroll County would prefer that their Deputies take the oath listed in the *Maryland Constitution Article I – Elective Franchise, Section 9 - Universal Citation*. This oath is taken by most elected officials and Governor appointees. It is also administered to Deputy Sheriffs and Deputy Clerks in Montgomery County and Washington County.

The current oath does not align with the responsibilities or the scope of services which Deputy Sheriffs and Deputy Clerks provide to the citizens of Carroll County, does not require the Deputies to swear or affirm that they will support the *United States Constitution*, to bear true allegiance to the State of Maryland and support its Constitution, and does not require the Deputies to fulfill their duties (or execute their office) according to the *Maryland Constitution* and Maryland law without partiality or prejudice.

The Sheriff of Carroll County and the Clerk of the Circuit Court for Carroll County would prefer their Deputies be administered an oath which requires Deputies to perform all duties diligently and faithfully. The modification of *Maryland Statute Courts & Proceedings Title 2 - Court Personnel, Subtitle - Officers, Oaths, and Bonds, Section 2-104 - Oaths or Affirmations (d)*. would be simple and only affect Carroll County.

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.

I respectfully request a favorable report on Senate Bill 1108.

# **SB1108 Oath of Office voting sheet.pdf**

Uploaded by: Justin Ready

Position: FAV

Carroll County Delegation Meeting

Thursday, January 18, 2024

Voting on Bill

Carroll county - Deputy clerk or  
Deputy Sheriff - Oath of office

Sen Ready	Yes	No	<del>Absent</del>
Sen West	Yes	No	
Del Bouchat	Yes	No	
Del Rose	Yes	No	
Del Stonko	Yes	No	
Del Tomlinson	Yes	No	

# **SB1108.pdf**

Uploaded by: Leslie Volkmar

Position: FAV

Since it is the responsibility of the Sheriff's Office to uphold the Maryland Constitution, every deputy clerk and deputy sheriff should take and sign the oath/affirmation of office as prescribed by Article I, § 9 of the Maryland Constitution.

# **SB1108 Take the Oath.pdf**

Uploaded by: Suzanne Price

Position: FAV

SB1108 Carroll County's Take the Oath Bill is what all 23 counties and the City of Baltimore should already be doing unanimously. Please join Montgomery and Washington Counties in taking this highly important oath of office. **Deputy Sheriffs and Deputy Clerks should and must be required to take this oath.**

**Please support this bill as per the Constitution of Maryland.** All officers of the law statewide should be required to take this oath.

Thank you Carroll County Senators,

Suzanne Price  
AACo, MD

Article I, § 10 of the Maryland Constitution:

**SEC. 9.** Every person elected, or appointed, to any office of profit or trust, under this Constitution, or under the Laws, made pursuant thereto, shall, before he enters upon the duties of such office, take and subscribe the following oath, or affirmation: I, \_\_\_\_\_, do swear, (or affirm, as the case may be,) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of \_\_\_\_\_, according to the Constitution and Laws of this State, (and, if a Governor, Senator, Member of the House of Delegates, or Judge,) that I will not directly or indirectly, receive the profits or any part of the profits of any other office during the term of my acting as \_\_\_\_\_ (*originally Article I, sec. 6, renumbered by Chapter 681, Acts of 1977, ratified Nov. 7, 1978*).