



To: Members of The House Judiciary Committee
From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section,
Maryland State Bar Association
Date: February 9, 2024
Subject: **HB59 – Crimes of Violence – Motor Vehicle Theft**
Position: **OPPOSE**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Opposes HB59 – Crimes of Violence – Motor Vehicle Theft.**

This bill will add Motor Vehicle Theft to the list of crimes that are considered crimes of violence.

While motor vehicle theft is a serious problem, this bill does nothing to address the problem. If anything, it would aggregate existing problems related to criminal activity.

While motor vehicle theft is often charged in addition to more serious crimes that do involve violence, carjacking in particular, there is currently no element of the crime that relates to violence of any kind. To arbitrarily put it into the category make little sense.

Individuals committing motor vehicle theft need to be apprehended and appropriately punished, but there is no evidence or reason to think that attaching the label of a crime of violence to the offense will do anything to deter those committing the crime. On the other hand, labeling a crime as a crime of violence carries a host of long-term negative consequences that can affect individuals long after they have completed whatever punishment is imposed. This can make it difficult for them to move beyond the crime.

Given the large proportion of young people who commit the crime of motor vehicle theft, attaching such an unnecessary and burdensome label to the offense is particularly troublesome. The research and the evidence of the criminal justice system indicates that many individuals who have been apprehended and punished successfully change their trajectory and become lawful and productive members of society. Labeling them as violent offenders will make that even more difficult.

For the reasons stated, we **OPPOSE HB59 – Crimes of Violence – Motor Vehicle Theft.**

If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@gmail.com.

Should you have other questions, please contact The MSBA's Legislative Office at (410) 387-5606..