

SUPPORT SB 873 – Third-degree Assault



TO: Chair Will Smith and Senate Judicial Proceedings Com.
FROM: Phil Caroom, MAJR Executive Committee
DATE: February 26, 2025

Maryland Alliance for Justice Reform (MAJR-www.ma4jr.org) strongly support SB 872 – a simple bill that both could reduce unnecessary incarceration and could make our criminal system more just.

[SB 873](#) would carve out a new, lesser offense called “third degree assault” from the more general, more serious offense of “second degree assault.” Why would this change be useful to Marylanders?

Currently, second degree carries a possible penalty of up to 10 years incarceration. It includes any kind of physical contact or threat of such contact from a mere slap in the face to use of a weapon that might cause permanent scars. Under Maryland’s sentencing guidelines, it carries a score of “V” (more serious).

The new, third degree offense—applicable to the least serious actions—would carry a top penalty of just 90 days. The Sentencing Guidelines commission clearly would score the new minor offense as a “VII”(less serious) with the result of lesser recommended sentences.

The new, lesser offense also, appropriately, would be presumptively heard in the District Court with less serious offenses. It would create a category of offenses which would be eligible for expungement within 5 years after successfully completing any sentence and probation.

Please give a favorable report to SB 873 to assure less serious penalties for those with less serious offenses, to give former offenders a better chance to clear their records, and, thus, to save taxpayer costs.

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Please note: This testimony is submitted for MAJR and not for the Md. Judiciary.