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February 5, 2025

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

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

RE: Senate Bill 567 - Criminal Procedure—District Court Commissioners -
Support

The Office of the Attorney General supports **Senate Bill 567** - Criminal Procedure—District Court Commissioners. **Senate Bill 567** would preclude district court commissioners from issuing arrest warrants based on a citizen complaint.

Under current law, district court commissioners have the discretion to issue arrest warrants based solely on a citizen's sworn statement. Commissioners have no ability to investigate the incident alleged in the citizen complaint and often cannot determine if the police were involved. Yet if a warrant is issued, the subject of the warrant is arrested, jailed, and potentially held pending trial.

A more formal and standardized system for reviewing civilian complaints, as contemplated by **Senate Bill 567**, could lead to fairer outcomes in charging decisions, addressing the overrepresentation of Black people in pretrial detention. Establishing consistent procedures would help ensure that complaints are evaluated based on objective criteria, minimizing the influence of personal or racial biases in determining whether charges should be pursued.

Additionally, implementing standardized procedures for warrant approvals can help prevent arbitrary decisions that disproportionately impact Black and Latinx communities. Applying uniform standards to warrant approvals would be a step toward reducing the disproportionate rates of arrest and detention among communities of color. The proposed changes could also reduce the frequency of arrests for minor offenses by centralizing the warrant

process and prioritizing more serious cases. This would lessen the likelihood of individuals from marginalized communities being detained pretrial for nonviolent or low-level infractions.

Senate Bill 567 retains the commissioners' ability to issue summonses in response to citizen complaints. This balance allows citizens to file criminal charges while preventing unnecessary, and sometimes unfounded, arrests.

For the foregoing reasons, the Office of the Attorney General urges the Committee to give **Senate Bill 567** a favorable report.