

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 735
Real Time for Violent Crime Act (Geri's Law)
DATE: February 5, 2025
(3/4)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes Senate Bill 735, as drafted.

The Judiciary has no position on the policy aims of this legislation but is concerned with the language which limits the discretion of a judicial officer. This provision does not just restrict commissioners from releasing a defendant charged with a crime of violence but also restricts "a judicial officer" (which includes a judge), from doing the same. Currently, Maryland law gives judges' discretion to authorize pretrial release for defendants in cases that would be subject to the bill. The bill would remove that discretion. The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges and judicial officers to weigh the facts and circumstances for each individual case.

Moreover, by creating a blanket rule prohibiting pretrial release for certain defendants, this bill conflicts with Maryland Rule 4-216.1(b) which requires that decisions whether to grant pretrial release be based on the "specific facts and circumstances applicable to the particular defendant[.]"

cc. Hon. William Folden
Judicial Council
Legislative Committee
Kelley O'Connor