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March 31, 2026

**TO:** The Honorable Will Smith  
Chair, Judicial Proceedings Committee

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

**RE:** House Bill 336 - Criminal Procedure - District Court - Issuance of  
Summonses and Arrest Warrants (Support)

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The Office of the Attorney General (OAG) supports **House Bill 336 - Criminal Procedure – District Court Commissioners and False Statements – Issuance of Summonses and Arrest Warrants**, as amended. As amended, the bill would authorize District Court commissioners to issue a summons upon a finding of probable cause on a citizen complaint, prohibit commissioners from issuing arrest warrants on such complaints, and require referral to the State's Attorney's Office when a commissioner finds that the defendant poses a danger to another person or the community.

This legislation directly supports our efforts to promote procedural fairness and consistency in charging decisions across Maryland's criminal justice system. Under current law, any individual can file a statement of probable cause with a district court commissioner without prior law enforcement investigation or prosecutorial review. While citizen complaints serve an important function in providing access to justice, particularly in cases where victims may not trust law enforcement or believe their cases received inadequate attention, the current system allows commissioners to issue arrest warrants based solely on these unvetted allegations. This creates significant concerns about fairness and consistency.

The amendments improve the bill in several important respects. As amended, HB 336 establishes a clear and workable framework: commissioners may issue a summons upon a probable cause finding on a citizen complaint, but may not issue an arrest warrant. Where a commissioner finds

probable cause to believe the defendant poses a danger to another person or the community, the bill requires referral to the State's Attorney's Office, which must complete its review no later than 72 hours after receipt. This structure ensures that the most consequential charging decisions, those that potentially deprive a person of their liberty, receive appropriate prosecutorial scrutiny, while preserving access to the process for all parties. The bill also requires the Maryland Judiciary to submit an annual report to the General Assembly on the operation of this process, which will provide policymakers and the public with the data necessary to assess whether the new framework is functioning as intended.

We appreciate the General Assembly's work on this important policy and welcome the opportunity to share our perspective. For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give **House Bill 336** a favorable report.

Cc: Members of the Committee