



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

SB 406 Support

February 11, 2026

The Honorable William C. Smith Jr.
Chair, Judicial Proceedings Committee
Senate Office Building – 2 East Miller
11 Bladen Street
Annapolis, MD 21401

RE: Support of SB 406 – Criminal Law - Drug Trafficking Crime - Definition

Dear Chair Smith, Vice Chair Waldstreicher, and Honorable Members of the Committee,

I am writing to express strong support for SB 406 on behalf of the Office of the State's Attorney for Baltimore City. This bill addresses a critical gap in our law enforcement and criminal justice process. At its heart, it is a gun bill. This bill intends to ensure that the gravest perpetrators of violence in our communities face accountability.

By changing the definition of "Drug Trafficking Crime" to include misdemeanor charges or a conspiracy to commit a misdemeanor in violation of § 5-602(B)(1) and § 5-603(B), we are ensuring that anyone distributing drugs with a firearm is held accountable. Legislation that has decriminalized cannabis related crimes over the years has been essential to address systemic and structurally racist policies in Baltimore City, however, demoting criminal cannabis charges to misdemeanors has left a gap in combating drug traffickers, and has inhibited the ability of law enforcement and prosecutors to hold accountable individuals who hold firearms while distributing cannabis.

Under current legislation, an individual can drive around your neighborhood with vast quantities of cannabis and a firearm and only be charged with two misdemeanor crimes. If that same individual were holding a small bottle of fentanyl pills and a firearm, that individual would be charged with a drug trafficking crime and face a minimum of 5 years, up to 20 years. The danger we are trying to address with this legislation is the firearm. Holding criminal dealers accountable and removing dangerous weapons from our streets is an essential step in keeping Marylanders safe.

Despite the changes in cannabis legislation, an underground economy for cannabis still exists, and our prosecutors still see cannabis as a key factor in a lot of homicide cases. This is partially



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because there is not an appropriate level of accountability when dealers carry firearms. Help us take more guns off the street by passing this legislation.

In addition, you will find below a real-life case example from Baltimore City demonstrating the extent of this issue.

I urge you to give a favorable report on SB 406. Thank you for your time.

Re: Additional Case Example from Baltimore City



On October 28th, 2022, Detectives with the Baltimore Police Department executed a search and seizure warrant. Upon entering the residence officers located and identified three individuals. Defendant 1 was located in the living room along with a juvenile male. Juvenile Male was located walking down the steps from the second floor. All individuals were placed in the living room and advised of their rights before Detectives asked whether there were any firearms or



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CDS in the house. The Juvenile Male informed officers that he had eight or nine registered guns in his room along with marijuana.

Officers searched the Juvenile Male's room and recovered the following:

- Glock 19 handgun in a dresser drawer
- Smith and Wesson handgun in same dresser drawer
- Springfield XDS handgun under the bed
- Canik TP9 handgun in the closet
- Springfield Saint Victor rifle
- Draco rifle serial
- Garaysar semi-automatic shotgun
- Numerous magazines that fit with the recovered firearms
- 125 rounds of various ammunition
- A vacuum sealed bag containing approximately 1.4 pounds of suspected marijuana, in dresser drawer
- \$155 in cash, in the dresser

During the search of the rest of the house, Detectives recovered two large suitcases in the basement containing a total of 30 pounds of suspected marijuana. Defendant 1 informed officers that the marijuana found in the basement belonged to him.

The suspected Marijuana was submitted to the Maryland State Police lab, where it is undergoing certified testing. The quantity of marijuana, along with observations made during the investigation, indicate that Defendant one and Juvenile Male intended to sell the drugs and they were not for mere personal use. The proximity of the firearms to the suspected marijuana **indicates their intended use in the furtherance and protection of the drug trafficking crime.** All events occurred in Baltimore City, State of Maryland.

Defendant 1 was charged and convicted with CDS Possession. He was given 6 months (time served) and 18 months of probation.

If this bill were law, this individual would have been charged with a drug trafficking crime as would be defined by Article – Criminal Law 14 Section 5–621(a)(2).

Sincerely,
Matias Cacheiro
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