

HB0336_FAV_OFJ_Angelina.pdf

Uploaded by: Angelina Scarton

Position: FAV



TESTIMONY IN SUPPORT OF HOUSE BILL 336:
District Court Commissioners and False Statements

DATE: March 31, 2026

FROM: Angelina Scarton

TO: Members of the Senate Judicial Proceedings and House Judiciary Committee

Members of the Committee, my name is Angelina Scarton. I live in District 30 in Anne Arundel County. **I am a member of Out For Justice and support House Bill 336**, which limits District Court Commissioners' ability to issue arrest warrants based solely on unverified civilian statements and strengthens accountability for false reports. I am submitting testimony because this exact failure in the system cost me nearly everything.

During the COVID pandemic, I was renting a commercial property when I discovered that my landlord was committing tax evasion and was not legally authorized to rent the unit. Once I confronted him and attempted to recover my deposit, he retaliated. Without any investigation or evidence, he went to a District Court Commissioner and had criminal charges filed against me. Those charges were approved based solely on his word. From that moment on, my life unraveled. I was immediately barred from returning to the property and prevented from filing charges against him myself.

The situation escalated when the landlord's friend physically attacked me. Instead of being treated as the victim, he stacked additional charges against me through the same process. Because charges were already pending and I was represented by a Public Defender, I was legally unable to go to the State's Attorney to correct the record or file charges of my own. My attorney could only respond to the accusations as written, not challenge how they were issued. No evidence was ever properly reviewed. No thorough investigation ever occurred.

Because this all happened during COVID, my trial dates were postponed repeatedly. I was eventually arrested on a charge that was later dismissed, but the arrest itself triggered a probation violation. That violation sent me to the Jessup Correctional Institution, where I was held for nearly four months. I was placed in solitary confinement, not because I had done anything wrong, but because they said they could not safely house me in the general population. I spent months isolated, waiting for charges that would later be dropped.

When I finally came home, the damage was already done. I lost my apartment. I lost my car. My credit score dropped to the low 400s. I was four days away from losing custody of my child due to the instability caused by my incarceration. To this day, I am trying to recover.



Nearly all of the charges against me were dismissed or dropped. I accepted Probation Before Judgment on one charge simply to move forward with my life. There was never a trial. My cases officially ended in August 2025. Yet even now, those charges continue to appear on background checks. They even cost me a six-figure job opportunity with NASA. They have blocked me from employment, housing, volunteering, and even becoming a foster parent. The punishment never ended, even though guilt was never established.

House Bill 336 addresses the precise system failure that allowed this to happen. No one should lose their freedom, their family stability, or their livelihood based on unverified accusations and unchecked retaliation. Warrants of arrest should require real evidence and real review before lives are destroyed.

For these reasons, I respectfully urge a favorable report on House Bill 336.

Thank you.

Testimony for the Senate Judiciary Committee 3-31

Uploaded by: Beverly John

Position: FAV

Testimony for Senate Judiciary Proceedings Committee
Tuesday, March 31, 2026
HB0336 – Criminal Procedure – District Court – Issuance of Summonses
& Arrest Warrants
FAVORABLE

Dear Honorable Chair Smith, Vice-Chair Waldstreicher, and committee members:

My name is Beverly John. I am submitting this testimony on behalf of my family and community. I am a concerned community member, as well as a member of the Maryland Coalition for Justice and Police Accountability and the Prince George's County Coalition for Police Accountability.

I am offering my continued support and testimony for this legislation. As stated in previous years, my daughter was victimized by the lack of guardrails within the current system and was falsely charged by a stranger who was jealous of her relationship. There was no investigation into the incredible allegations. The State's Attorney did not prosecute nor look into the false evidence presented by this woman. She was not held accountable for the perjury she committed. We have heard that perjury is hard to prove. That may be true, but you certainly can't prove it if you don't even investigate it.

We support HB0336 because community members need protection from others who weaponize the District Court Commissioner system maliciously. Some residents are fully aware of the ability to use a Commissioner in this way. The SA's office will frequently decide to not prosecute cases, but even when they do not move forward with prosecuting a case, extreme damage to the defendant's life has already been done. People have been incarcerated and have lost jobs and families while defending against false accusations. The financial burden of hiring an attorney, if you are fortunate enough to hire a private attorney, is devastating. The emotional and psychological stress is damaging, as well. One hour, one day - Any amount of time is traumatizing for an innocent person.

This legislation, if passed, would strengthen current legislation. Complainants would still be able to report incidents with the Commissioners. However, it is our hope that if a complainant understands that charges can only be made by law enforcement or the state's attorney, it may deter someone from filing false statements. Currently, too many people are filing false charges with no fear of accountability. This legislation is a first step in addressing this problem. It would allow the state's attorney's office to focus on prosecuting legitimate cases and working to resolve cases for those who deserve justice.

Therefore, we urge a "Favorable" vote on HB0336.

Thank you.

OPD Written Testimony Favorable HB0336 Bill Senate

Uploaded by: Brian Levy

Position: FAV



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

HANNIBAL KEMERER
CHIEF OF STAFF

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB 0336 - Criminal Procedure – District Court Commissioners and False Statements

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: March 31, 2026

The Maryland Office of the Public Defender urges a favorable report on House Bill 336 for the foregoing reasons:

The Current System harms more individuals than it helps:

In Maryland any individual, not just a police officer, can apply for criminal charges to be filed against someone by filling out and providing an application for a statement of charges to a District Court Commissioner. *See Md. Code Ann., Cts. & Jud. Proc. § 2-607.* The District Court Commissioner, who typically is not a lawyer, may then issue a summons **or an arrest warrant**. At present, all that is required to issue an arrest warrant is that the commissioner find there is probable cause to believe the defendant committed the offenses charged **and**

- that the accused has previously failed to respond to a served summons or citation, or
- that their whereabouts are unknown and the warrant therefore necessary to subject them to the jurisdiction of the court, or
- that the accused be in custody for another offense, ***or***
- that there is probable cause to believe that the defendant poses a danger to another person or the community.

See Md. Code Ann., Cts. & Jud. Proc. § 2-607.

In making the determination whether to issue charges, and potentially issue an arrest warrant, the commissioner is not required and does not have the ability to investigate or corroborate the allegations made. Additionally, there is no requirement that the individual making the application for charges contact the police or any other investigative agency regarding the alleged crime(s).

The Unfounded Allegation Problem: Arrest Warrants are Currently Issued Without Any Investigation

The District Court Commissioner lacks the ability to investigate the accuracy or honesty of the allegations put before them. Thus, the commissioners typically must limit their review of the

application to the four corners of the document. As such, they act as a rubber stamp, simply assuming the truth of what is alleged and issuing charges based on unverified, uncorroborated, and occasionally patently false allegations. Particularly problematic are situations in which someone accuses another of committing an act of violence, such as an assault. The accusation can be completely baseless, but if the allegations can be construed to create a belief that a defendant poses a danger to another or the community, the commissioner may issue an arrest warrant. As a result, a simple unsupported allegation of an assault, or any violent crime, will often lead to the issuance of an arrest warrant for the accused.

While the State's Attorney's Office ultimately has the ability to review, investigate, and determine whether to go forward on charges filed by the District Court Commissioner, in our current system any such review rarely occurs prior to the arrest of the accused on a commissioner's warrant.

This arrest warrant alone, even in instances where the case itself is later dismissed, will have devastating negative repercussions for the wrongly accused. An arrest warrant, and the subsequent arrest, often results in loss of employment; loss of housing; loss of custody of children; deprivation of liberty; and the infliction of emotional and physical trauma.

The Current System is Rife with Abuse

In my experience as a supervisor of public defenders in Baltimore City -- one of our State's busiest district courts, the commissioner charging system is abused most significantly by perpetrators of domestic violence. These are not the only abuses of the current system, but they are those which result in the most egregious miscarriages of justice. When a perpetrator of domestic violence is criminally charged, or believes that they may be, that perpetrator will go apply for an application of statement of charges of assault (or other crimes) to be taken out against the *victim* of their abuse, causing those survivors to be arrested. These allegations are almost always false, but also almost always result in the issuance of arrest warrants.

Perpetrators of domestic violence very often have more agency than their victims. They understand how to abuse the system and are willing to do so. Whether to retaliate against their partners for accusations made against them, as a tool of coercive control, or to escape from their own prosecutions, utterly meritless accusations of domestic violence are commonly made by the perpetrators of it. This abuse of the commissioner charging system causes the unnecessary and unjust arrest of innocent, victimized, individuals.

An Example of One Type of Abuse Regularly Occurring in our Current System

Maria R. (not her real name) was in an abusive relationship with her partner Jose M. (not his real name) for a period of roughly 10 years. She was the subject of severe physical abuse, verbal abuse, and other means of coercive control and manipulation. One frequent tactic Jose M would use to control Maria R. was the filing of false charges against her through the district court

commissioner. When I, her public defender, first encountered Maria R., she told me that she had recently, not for the first time, attempted to leave her abusive relationship with Jose M. She had rented an apartment whose address she had not disclosed to him, stopped answering his phone calls, and intended to simply avoid him. In response, Jose M. filed an application for statement of charges with the district court commissioner claiming that Ms. Rodriguez had assaulted him with a brick. There was no corroborating evidence. The police had never been called. Just handwritten allegations describing Maria R. chasing him around the house swinging a brick at him. Maria R. had been arrested on a warrant, but released at her initial appearance on an unsecured bond prior to her trial date. She explained the allegations were blatantly false. In fact, she had been working on the date of the alleged incident. She worked as a nurse at the hospital. She wasn't worried about being wrongly convicted, Jose M. she told me, wasn't likely to show up as a witness for the Court date. He never showed up any of the previous times he filed false allegations against her. But until the case was thrown out she would be unable to work, her job having suspended until the allegations were resolved. Without her income, she may lose the apartment and be forced, once again, to return to her abuser. On multiple prior occasions this had occurred. She had been wrongly arrested, humiliated, and suspended from work. Again and again, her abuser had utilized our commissioner charging system as a means to prevent her from leaving him.

House Bill 336: A Modest But Necessary Reform

House Bill 336 proposes a modest but necessary reform to our commissioner charging system. By restricting District Court Commissioners to issuing arrest warrants to those cases filed by the police and State's Attorneys, House Bill 336 will significantly reduce the number of arrest warrants issued in frivolous and false cases. Victims of crime may call the police when a crime is committed, especially when they are in danger. In situations where the police are unable to arrest the perpetrator at the scene they are able to apply for charges and an arrest warrant through the District Court Commissioner. House Bill 336 will not affect this process. In instances when the police, for whatever reason, are not willing or able to apply for charges (or the accuser is unwilling or unable to seek police assistance), this bill would still permit an individual to apply for charges through the District Court Commissioner without any police involvement. However, House Bill 0336 will limit the commissioner's power to issuing a summons upon an application for statement of charges based on a civilian's application. In cases filed by civilians where the commissioner believes there is probable cause that the accused poses a danger to another person or to the community, the commissioner will then forward that case to the State's Attorney's Office which will have no more than 72 hours to determine whether to request an arrest warrant be issued by the court. The State's Attorney's Office, unlike the commissioner, has the ability to investigate the allegations instead of merely relying on the application for a statement of charges. The process proposed by House Bill 336 will reduce the number of warrants being filing in false and frivolous cases, minimizing the harm done to innocent people. House Bill 336 will make

Marylanders more safe – protecting innocent individuals and freeing up resources for truthful allegations and improve efficiency though out the entire criminal legal system.

We Urge Resistance to Any Exceptions – They will Swallow the Bill

The Office of the Public Defender supports HB 0336 as written and requests that the Committee issue a favorable report. However, if the bill were to be amended to create an exception allowing District Court Commissioners to issue warrants upon receipt of applications for statements of charges by individuals eligible for relief as defined in § 4-501 of the Family Law Article, the Office of the Public Defender will oppose this bill. Such an amendment would swallow this bill. As discussed above, the most rampant abuse of the commissioner charging system in our experience is by perpetrators of domestic violence, who would fall under such a proposed exception. The Office of the Public Defender remains willing to work with those who advocate for survivors of domestic violence to create good policy for all, but would strenuously object to such an amendment that would neuter the modest but important reforms this bill seeks to effectuate to our commissioner charging system.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on the House Bill 336.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Brian E. Levy, Assistant Public Defender, District 1 Baltimore City.

Eastside District Court, 1400 E. North Ave., Baltimore, MD 21213. Brian.Levy@maryland.gov,

410-878-8617

HB336 - commissioner-issued warrants- fraser.pdf

Uploaded by: Brytani Fraser

Position: FAV

Dear Members of the **Judicial Proceedings Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore and in collaboration with Out for Justice. I am a resident of **District 45, and I am testifying in support of HB336 Criminal Procedure – District Court Commissioners.**

As the law currently stands, individuals may seek the arrest of fellow citizens by presenting allegations directly to district court commissioners. This process has had significant consequences for those accused, including job loss, financial hardship, damaged credit, and harm to their reputation in the community.

House Bill 336 would prevent district court commissioners from issuing warrants based on citizen complaints. If a commissioner believes public safety demands issuance of a warrant, both the State's Attorney and a judge would have to agree before such a warrant could be issued. This would ensure that the serious decision to have someone arrested would be subject to serious legal review, reducing the potential for abuse.

Maryland is one of only eight states that provides individuals with the most latitude to bring about charges. Delaware eliminated this practice in 2022. According to the Delaware Justice of the Peace Court, this change has increased public safety. HB336 would protect people from false accusation while ensuring that warrants can still be issued in cases of true danger. For these reasons, I respectfully urge you to **support Criminal Procedure – District Court Commissioners and False Statements HB336.**

Thank you for your time and consideration.

Sincerely,

Brytani Fraser

3211 Moravia rd. Baltimore, MD 21214

Showing Up for Racial Justice Baltimore



Showing Up for Racial Justice

HB336 - commissioner-issued warrants.pdf

Uploaded by: Daryl Yoder

Position: FAV

Dear Members of the **Judicial Proceedings Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 44A. **I am testifying in support of HB336 Criminal Procedure – District Court Commissioners.**



Showing Up for Racial Justice

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Reporting by The Baltimore Banner highlighted the real-life impact of this system. For example, Tahirah Williams was arrested following allegations made by her neighbor through this process. She spent days in jail and lost her daycare license. Two months later the state dropped all charges against her. Baltimore Mayor Brandon Scott was involved in an incident in which a volunteer from another campaign attacked him. This volunteer changed the story of what occurred, stating that the mayor attacked them, and sought charges against Mr. Scott.

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Thank you for your time and consideration.

Sincerely,
Daryl Yoder
309 Glenmore Ave.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

HB336 - commissioner-issued warrants.pdf

Uploaded by: Holly Powell

Position: FAV

Dear Members of the **Judicial Proceedings Committee**,

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Showing Up for Racial Justice

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Thank you for your time and consideration.

Sincerely,

Holly Powell

2308 Cambridge Street

Baltimore, Maryland 21224

Showing Up for Racial Justice Baltimore

Testimony for House Judiciary Committee - IJ.pdf

Uploaded by: Inzinga John

Position: FAV

Testimony for House Judiciary Committee

Friday, March 6, 2026

HB336 – District Court Commissioners & False Statements

FAVORABLE

Dear Honorable Chair Bartlett, Vice-Chair Davis, and committee members:

My name is Inzinga John, and I am writing this in support of HB336. I am mother of 2 toddlers, a federal employee of 16-years with the Food and Drug Administration (FDA), and an 19-year state government employee with Maryland National Park and Planning (MNCPPC)

Last year in support of HB0021 I gave my personal testimony with regards to the abuse of filing false accusations and charges – my passion and sentiments on this matter remain the same.

Two years ago, at 4 months pregnant I became a victim of accused false charges with a misdemeanor – 2nd degree assault by a woman whose initial attempts to harm me and my family failed. A woman I did not know existed and until the harassments begun and my first court date - with never even been in the same room with her. A woman who lied under oath on multiple occasions and created fake evidence of text messages and pictures using makeup to show her blacked and blued eyes and battered body.

The experience negatively impacted my life on all fronts. Mentally, with crippling anxiety attacks causing me to be mentally absent from my kids, work which negatively has impacted my performance and threatened my state of employment, many nights without sleep, postpartum depression, and PTSD with thoughts of further retaliations of false accusations or even physical harm. Physically, in which the stress caused me to deliver my son 6 weeks early; living with Lupus where my stress causes flare ups possibly causing irreversible damage. And lastly financially; spending over \$5,000 on lawyer fees and the many expenses of delivering my son 6 weeks early in Hawaii with a newborn in the NICU for a month.

Unfortunately, 2 years later I am still dealing with the negative mental and financial impacts of the false accusations. With the worsening economy, since then this has caused an even tighter strain on being able to pay off lawyer fees and keep up with the expenses of daily life. And because of the trauma I am having to seek professional therapy to support my mental health.

Again, I have never had any criminal or civil issues with anyone before and this entire experience was extremely frightening. Thank God the charges were expunged in time for my recertification at the FDA or I would be without my main income producing job. And sometimes I still can't help but fear that something regarding this matter could pop up later down the line.

I am not the first nor will I be the last to fall victim to being falsely accused and charged unless legislation like this is passed. And unlike many others I was fortunate enough to fund my

representation while in court at the time. But what saddens me is that even with all of my overwhelming evidence (video, text, witnesses, etc.) and the lack of participation from accuser with the state prosecutors and not showing up to court blatantly screams that this woman committed perjury and has lied on official state documents - wasting State Government resources and not even red flag was waved.

I will again urge you to vote "Favorable" on HB336 so that innocent people like me who so unfortunately find themselves in these situations where a false charge may threaten their home, jobs, families, mental, freedoms, and overall livelihood the accusers will think twice before maliciously lying for personal satisfactions or gain.

HB336 SA Bates Testimony.pdf

Uploaded by: Ivan Bates

Position: FAV



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

March 31, 2026

The Honorable William C. Smith Jr.
Chairman, Senate Judicial Proceedings Committee
Senate Office Building
2 East Miller Senate Office
Annapolis, MD 21401

RE: Support of HB336 – Criminal Procedure – District Court Commissioners and False Statements

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

I am writing to express my strong support in favor of HB336, which aims to amend certain provisions concerning Criminal Procedure – District Court Commissioners and False Statements within the State of Maryland. As Baltimore City State's Attorney, I believe this bill is crucial for enhancing the integrity of our legal system and safeguarding the rights of individuals.

HB336 proposes several important changes, the most significant being the prohibition of District Court Commissioners from issuing arrest warrants without review from the Office of the State's Attorney or the Maryland Judiciary. This measure ensures that victims are not abused by a system that is currently plagued by false statements. Victims who are faced with charges stemming from false statements face immense burdens, and as a result often spend time in jail, lose their jobs, and face a damaged reputation, significantly impacting their quality of life.

Through the diligent work of the House Judiciary Committee and its Criminal Law Subcommittee, I believe HB336 is a sufficient compromise to resolve the problem of false statements and the concerns that have been brought forth by those in opposition to its passage.

During the House floor discussion, concerns regarding the number of false statements, and the disposition of the false claims continued to be raised by its members. In response to these concerns, I would like to highlight some data put together by our District Court Division in Baltimore City that tracks *from the beginning of 2025 to present day*.

There has been a total of 112 warrants issued by the Court Commissioner. Of those cases, one was "dismissed", three received "probations before judgement", four were stetted, (13) received "not guilty" verdicts, (21) remained "active", (60) were "nolle prosequi", and only (10) cases resulted in "guilty" verdicts.



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If we do not consider the warrants that are currently active, only roughly 11% of the warrants that were issued by Court Commissioners resulted in successful prosecution. From the data, we are unable to determine whether the cases that did not result in guilty verdicts came from false statements.

I would like to highlight that achieving a guilty verdict in 11% of the cases that presented evidence to support beyond a reasonable doubt that a crime was committed are not the results we should consider acceptable, especially when each frivolous warrant used precious judicial resources to victimize an individual ultimately deemed innocent by the system.

Let us also look at the data for all civilian complaints without complaint numbers that did not have a law enforcement officer related to the case. As a point of clarity, I would note that these were all civilian complaints, and not just those that resulted in warrants being issued which may overlap with the data mentioned earlier.

From the beginning of 2025 to present day, there have been a total of 290 civilian complaints received by the Court Commissioner of which 112 resulted in warrants and 178 resulted in summons. Of those received by the Court Commissioner, one was "dismissed", four resulted in "probations before judgement", nine were "stetted", 165 were "nolle prosequi", 49 resulted in "not guilty" verdicts, 51 remained "active", and only (11) resulted in "guilty verdicts".

If we remove the active cases, then less than 5% of cases that come from the Court Commissioner's office resulted in a guilty verdict and more than 4 times as many cases resulted in not guilty verdicts. I reiterate that a system that only achieves 5-11% guilty verdicts of the complaints received shows that the system is wasting judicial resources.

HB336 reinforces the responsibilities of District Court Commissioners in upholding constitutional rights, determining probable cause, and ensuring due process for all individuals brought before them. These provisions underscore the importance of fair and impartial judicial proceedings, thereby promoting public trust and confidence in our legal system.

The current system is being taken advantage of, and citizens are being falsely accused and detained without any evidence ever being presented. This cannot, and should not, continue to be the law of this State.

In conclusion, I urge the favorable passage of **HB336** as received by the House Judiciary Committee. By enacting these proposed reforms, we can strengthen the trust in the judicial process



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and law enforcement, protect the rights of Maryland residents, and uphold the principles of fairness and accountability within our legal framework.

Moreover, the reporting requirements in this bill will allow this body to have the data they need to truly assess the impact of the Court Commissioner on the criminal justice system and our fellow citizens, thus allowing this body to develop more comprehensive policy to better serve the people of Maryland.

Thank you for your consideration in this important matter and I look forward to positive progress on **HB336** and its passage in the State Senate.

Sincerely,

Ivan J. Bates

Ivan J. Bates
State's Attorney for Baltimore City

HB336 - john ford.pdf

Uploaded by: John Ford

Position: FAV

Dear Members of the **Judicial Proceedings Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 46. I am a community association board member, workforce development civil servant, and volunteer who cares deeply about my Baltimore community. **I am testifying in support of HB336 Criminal Procedure – District Court Commissioners.**



Showing Up for Racial Justice

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Thank you for your time and consideration.

Sincerely,

John Ford

529 S East Ave, Baltimore, MD 21224

Showing Up for Racial Justice Baltimore

HB336 - john ford.pdf

Uploaded by: John Ford

Position: FAV

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Maryland is one of only eight states that provides individuals with the most latitude to bring about charges. Delaware eliminated this practice in 2022. According to the Delaware Justice of the Peace Court, this change has increased public safety. HB336 would protect people from false accusation while ensuring that warrants can still be issued in cases of true danger. For these reasons, I respectfully urge you to **support Criminal Procedure – District Court Commissioners and False Statements HB336.**

Thank you for your time and consideration.

Sincerely,

John Ford

529 S East Ave, Baltimore, MD 21224

Showing Up for Racial Justice Baltimore

HB336 - john ford.pdf

Uploaded by: John Ford

Position: FAV

Dear Members of the **Judicial Proceedings Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 46. I am a community association board member, workforce development civil servant, and volunteer who cares deeply about my Baltimore community. **I am testifying in support of HB336 Criminal Procedure – District Court Commissioners.**



Showing Up for Racial Justice

As the law currently stands, individuals may seek the arrest of fellow citizens by presenting allegations directly to district court commissioners. This process has had significant consequences for those accused, including job loss, financial hardship, damaged credit, and harm to their reputation in the community. In contrast, individuals who make false allegations rarely face consequences. The Baltimore Banner reported that in 2024, it found only five cases in which individuals were charged with perjury for making false statements to a district court commissioner. District court commissioners reportedly approve about 93% of applications submitted by both law enforcement and private citizens, raising concerns about the threshold being applied before arrest warrants are issued. Data from Frederick and Wicomico Counties has indicated that more than 80% of cases initiated through court commissioners in 2024 resulted in no conviction.

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John Ford

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Showing Up for Racial Justice Baltimore

HB336 - commissioner-issued warrants.docx.pdf

Uploaded by: Lindsay Keipper

Position: FAV

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Sincerely,

Lindsay Keipper

2425 Fleet St., Baltimore

Showing Up for Racial Justice Baltimore

Lupe Hawkins Fav Testimony for HB 336.pdf

Uploaded by: Lupe Hawkins

Position: FAV

Testimony on House Bill 336 – Favorable
HB336 –Criminal Procedure – District Court Commissioners and False Statements

House Judiciary Committee

February 03, 2026

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

My name is Lupe Hawkins, and I am a resident of Prince George's County, Maryland. I am writing in support of –Criminal Procedure – District Court Commissioners and False Statements.

I have testified before the house for the last two years to prevent others from going through the nightmare that I lived through. For several years, I was a victim of someone using the judicial system as a weapon to deliberately cause harm to myself and my family out of spite and pure hatred.

In 2012, a very dishonest woman decided to make a false report against me, and without any investigation, I was arrested and placed in jail. This is where this long, horrific nightmare began.

For five long years, I was charged more than 22 times based on false accusations made maliciously by the same woman. By the second year, it was verified in court that she had lied to the state and to the House of Ruth. In fact, a House of Ruth advocate and attorney filed a right to withdraw representation because she admitted to them that she had lied and that the entire story was made up.

Instead of the charges against me being dropped, the judge sealed that document and sent my case to a full jury trial, allowing her to testify against me. Despite knowing she was lying and not credible. That decision empowered her.

For the next several years, this woman continued to make malicious false accusations. Not once was she charged with making a false report or committing perjury.

After nearly five years, more than 22 charges, multiple speedy trial hearings, jury trials, home confinement, and time in jail, **I was finally exonerated of all charges.**

She was eventually convicted, but not for any of the false statements she made against me. She was convicted of attempting to kill me in front of my mother's home.

Today, I call myself a survivor. My family and I have made it our mission to help humanize those going through similar situations.

It should never be this easy to destroy someone's life maliciously with no fear of accountability. We are simply asking for stronger screening and real accountability. Making false accusations is a crime and should be treated as one.

I respectfully ask you to give HB336 a favorable vote and to give innocent people a fair chance at a peaceful life.

Very Respectfully,
Lupe Hawkins
The Just Us Initiative

HB336_ACLUMD_FAV.pdf

Uploaded by: Olivia Spaccasi

Position: FAV



Testimony for the Senate Judicial Proceedings Committee

March 31, 2026

HB 336 - Criminal Procedure - District Court - Issuance of Summonses and Arrest Warrants

OLIVIA SPACCASI
PUBLIC POLICY PROGRAM
ASSOCIATE

FAVORABLE

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DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

The ACLU of Maryland urges a favorable report on HB 336, which bars District Court Commissioners from issuing warrants based on applications for a Statement of Charges submitted by a member of the public. The bill maintains the District Court Commissioners ability to issue summons and creates a new process by which warrants can be issued, if necessary, only after proper review by a State's Attorney. If the States Attorney determines the summons should be upgraded to a warrant, then they must request that a judge of the District Court or a judge of the Circuit Court issue an arrest warrant. The relevant court may then upgrade the summons to a warrant on a finding of good cause.

Currently, District Court Commissioners may issue arrest warrants based on an application by law enforcement *and/or* a member of the public. As a result, innocent people can be arrested and entangled in the criminal legal system based on the limited information in these applications alone. By limiting the issuance of arrest warrants to those generated in response to law enforcement or after proper review from a States Attorney as opposed to those filed by any member of the public, some necessary safeguards will be established and the process will be insulated from those looking to weaponize the criminal legal system against other civilians.

If one would like to make a formal allegation that a crime has been committed against them, there are two main routes for redress through the criminal legal system. Firstly, one can call the police to conduct an arrest. Secondly, one can file an *Application for Statement of Charges* with a District Court Commissioner. While people are encouraged to take the first route, the District Court Commissioner path is highly utilized by members of the public. According to the



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Office of the Attorney General, in fiscal year 2025, approximately 18,394 nonpolice applications for statements of charges were filed with commissioners, representing over one-third of all charging applications.

Arrest warrants generated in response to these applications are often issued without any investigation or review conducted by law enforcement or the state attorney's office. That is because a thorough investigation is not a standard part of the process for consideration of citizen-initiated applications for statement of charges. This practice can lead to a runaway train of consequences for the accused individual, who can be arrested – both in Maryland and other states - based solely on the complaint of a member of the public. These applications do warn against making false statements and such statements are punishable by imprisonment for up to 6 months, however there are few safeguards in place to ensure that these applications are properly vetted. This new process will establish a much-needed safeguard to ensure people are not arrested and entangled in the legal system without proper due diligence.

Moreover, HB 336 will not diminish protections for victims of domestic violence or limit the routes through which they can find redress for the harm done to them. Under Md. Code, Crim. Proc. § 2-204, police officers do not need a warrant to arrest a person suspected of domestic violence under various circumstances. Additionally, the criminal legal system is often weaponized against victims of domestic violence and abuse. Those who engage in this type of abuse are keenly aware of the legal mechanisms by which they can exert control over and harm their victims. HB 336 aims to establish a crucial checkpoint to mitigate the harm caused by wrongful arrests and unsubstantiated accusation.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 336.

2026_03_31 HB 336 - Citizen Complaints.pdf

Uploaded by: Tiffany Clark

Position: FAV

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Deputy Attorney General



PETER V. BERNS
General Counsel

CHRISTIAN E. BARRERA
Chief of Staff

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

ANTHONY G. BROWN
Attorney General

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)

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

HB336

Uploaded by: Wendy Auen

Position: FAV

Revised Testimony

Good afternoon, distinguished members of the legislature and honored guests. My name is Wendy Auen. I served as a District Court Commissioner for 18 years, including eight years as a Managing District Court Commissioner.

My career took an unexpected and deeply troubling turn when, within two months of a new Administrative Commissioner assuming the role, I was forced to choose between resignation or termination—effectively ending nearly two decades of dedicated public service. While I initially sought answers and accountability for what happened to me, I came to realize that this is not about my personal story. This is about systemic failures that leave Maryland citizens unprotected within a critical part of our judicial process.

I appear before you today with transparency and respect for due process, to advocate for reform that protects the public and strengthens confidence in a system I believed in and served for many years. This bill is vital. The examples highlighted within it reflect real people whose lives were profoundly affected—individuals deprived of their freedom, their livelihoods, their mental health, and ultimately their faith in a justice system meant to protect them.

The role of the District Court Commissioner’s Office requires meaningful reform in several areas.

First, education and qualifications. District Court Commissioners wield enormous authority—the power to change lives with a single signature—yet there is no requirement for a legal education. Some commissioners are hired without a bachelor’s degree in any legal field, let alone training relevant to law or constitutional rights.

Second, training. I once heard the training process described by a former administrator as “sink or swim.” I ask you: would any of us consent to surgery performed by a doctor trained under a sink-or-swim model? Of course not. Yet commissioners, entrusted with decisions affecting liberty and public safety, are placed into this role without rigorous, standardized preparation. This must change.

Finally, and most concerning, is the reality of how charges can be brought. Every day, in a 24-hour, year-round operation, individuals walk into a commissioner’s office to file charges against others. We do not require identification from the charging party. That person may claim to be anyone. They submit a probable cause statement—sometimes alleging very serious crimes—with no police involvement and no review by the State’s Attorney. The decision is left to a private citizen and an underqualified commissioner, who together possess the power to deprive another person of their freedom.

This should concern every Marylander.

How has this gone unrecognized for so long? It took investigative reporting—most notably by the Baltimore Banner—to bring attention to citizens whose lives were upended by a system that failed them and has been largely overlooked.

I urge you to support this bill and to take this opportunity to restore safeguards, accountability, and public trust in this critical part of our judicial system.

Thank you for the opportunity to testify. I am happy to answer any questions.

HB336 FWA 1.pdf

Uploaded by: Amanda Rodriguez

Position: FWA



BILL NUMBER: HB 336

TITLE: Criminal Procedure – District Court Commissioners and False Statements

COMMITTEE: Judicial Proceedings

HEARING DATE: 3/31/2026

POSITION: FAV W AMENDMENTS

TurnAround, Inc. is the designated rape crisis center for Baltimore City and Baltimore County and a comprehensive domestic violence service provider. For more than four decades, we have served survivors at the most critical moments of their lives—providing 24-hour crisis response, survivor-centered advocacy, legal referrals, trauma-informed therapy, and prevention education. We also serve as the Regional Navigator for Baltimore and Howard Counties, providing specialized services to survivors of human trafficking. TurnAround is a proud member of the Maryland Coalition Against Sexual Assault (MCASA), the Maryland Network Against Domestic Violence (MNADV), and the Maryland Human Trafficking Task Force.

House Bill 336 would prohibit District Court Commissioners from issuing arrest warrants initiated by individuals other than law enforcement officers or State’s Attorneys, and would increase penalties for false statements to government officials.

While we recognize the intent to strengthen accountability within the system, HB 336 as written would have serious and unintended consequences for survivor safety. It would remove one of the only immediate pathways survivors have to protect themselves and seek justice—placing them at significantly greater risk of harm.

Survivors do not always have safe or viable access to law enforcement. In some cases, abusers actively prevent survivors from contacting police. In others, cases are declined for prosecution—particularly in sexual assault, where underreporting and under-prosecution are well documented. In these moments, the District Court Commissioner system serves as a critical safety valve.

TurnAround routinely supports survivors in filing charges through Commissioners—often alongside petitions for protective orders—when no other avenue is available.

One recent case illustrates what is at stake. TurnAround supported a survivor whose rape case had been declined for prosecution multiple times over a seven-year period. Despite repeated

reinvestigations, the State's Attorney's Office declined to move forward. A national expert later reviewed the case and identified serious investigative failures, including unconstitutional racial bias. Only because a District Court Commissioner approved charges is this case now moving forward in District Court, with the survivor seeking review by a special prosecutor.

Without access to the Commissioner, this survivor would have had no path to justice.

This is not an isolated incident. For many survivors across Maryland, the Commissioner is the only accessible entry point into the criminal justice system.

At the same time, we have seen the devastating consequences of underestimating risk. During this legislative session, a woman in Howard County was murdered within hours after her abuser—who had violated a protective order—was released on his own recognizance by a commissioner. The system determined he was not a danger. Within four hours, she was dead. Commissioners can be the only life line a survivor has.

HB 336 risks creating more situations like this.

If Commissioners are limited to issuing summonses based solely on who initiates the charges, survivors may be forced to alert their abusers that legal action is underway—without any immediate protection in place. This is particularly dangerous given what we know: the moment a survivor attempts to leave or seek help is often the most lethal period.

We agree that reform of the Commissioner system is necessary. However, Maryland must not improve process at the expense of human life.

Suggested Amendments

TurnAround respectfully recommends:

- Allowing for the immediate issuance of an arrest warrant, with the State's Attorney granted authority to review and withdraw within 72 hours; or
- Requiring expedited judicial review prior to issuance;

In either scenario, an arrest warrant must be available when failure to act would place a survivor at risk of serious bodily harm or death.

HB 336 presents an opportunity to strengthen Maryland's systems—but only if survivor safety remains at the center of reform.

For these reasons, TurnAround respectfully urges the Committee to amend HB 336 to ensure that efforts to improve accountability do not unintentionally endanger survivors of domestic violence and sexual assault.

For further information, please contact:

Amanda Rodriguez, Esq.

Chief Executive Officer

arodriguez@turnaroundinc.org

THE BALTIMORE BANNER

Man charged in fatal Ellicott City stabbing of estranged wife was in custody 4 hours earlier

Dylan Segelbaum and Jess Nocera

2/9/2026 4:57 p.m. EST



Howard County Police responded Sunday morning to a home on Huntsmans Run in a neighborhood off Triadelphia Road in western Ellicott City for a report that

A man who is [accused of stabbing his estranged wife to death](#) Sunday in Ellicott City had been in custody less than four hours earlier on a charge of violating a protective order.

A district court commissioner ordered Alexander Stephenson to be released on his personal recognizance and he walked out of a detention center in Westminster at 4:18 a.m., Carroll County Sheriff Jim DeWees said.

At his initial appearance, Stephenson, 53, of Ellicott City, told the district court commissioner that he served 24 years in the U.S. Army and worked at Leidos as a military planner.

His court-appointed attorney, Angela Holloway, argued that he was not a flight risk or a danger. She said her client disputed that he made the phone calls that constituted the allegations against him.

District Court Commissioner Kotoshia Ade-Oni said she was releasing Stephenson because he did not have a criminal record. But she warned him about the consequences of running afoul of the law.

“Lawfully, you did not do what was right, and you knew that, and you knew the laws and rules,” Ade-Oni said.

“But I do not believe that you’re a danger,” she added. “I believe that you are capable enough to listen to the rules and get yourself together — whatever you need to get yourself together — and make it to court and not recur

these issues that have happened tonight. Understood, sir?”

“Yes, ma’am,” Stephenson responded.

At 8:13 a.m., Howard County Police responded to a home on Huntsmans Run in a small wooded neighborhood off Triadelphia Road for a report that Alexander Stephenson had stabbed his wife, Amethyst Stephenson. She was 47.

“Caller’s advising their dad just stabbed their mom with a small black knife,” a 911 dispatcher can be heard on police radio. “Unknown where the suspect has gone.”

Alexander Stephenson turned himself in at about 10:30 a.m. at a police station in Ellicott City to face charges of first-degree murder and violating a protective order, said Sherry Llewellyn, a Howard County Police spokesperson, in an email.

He was then taken to the Maryland Shock Trauma Center with what police described as non-life-threatening self-inflicted wounds.

It’s unclear who is representing him and when he will appear in court.

Read more criminal justice stories in Howard County

- [Man turns himself in after fatally stabbing estranged wife in Ellicott City, police say](#)

- [Howard County judge convicts 19-year-old in double shooting near Columbia mall](#)
- [Howard County's Indian community reels after back-to-back tragedies](#)

Court records help establish a timeline of what led up to the deadly stabbing.

On Jan. 12, Amethyst Stephenson sought a protective order in Howard County Circuit Court against Alexander Stephenson, alleging that he had made “threats of violence” and caused “mental injury of a child.”

“He has made veiled and direct threats of violence against me and the children,” she wrote in her petition. “He has threatened to kill us.”

She asserted that her husband had punched walls and destroyed property, including computers, TVs and iPads.

That day, Circuit Judge Maurice C. Frazier granted a temporary protective order, which was extended several times.

On Feb. 2, Alexander Stephenson agreed to a final protective order, which was effective for two years.

His attorneys in the case, William Prunka and Arya Saleh, could not be reached for comment.

Amanda Denison, Amethyst Stephenson’s attorney, also

Five days later, around 8 p.m. Saturday, the Maryland State Police were called to a High's store on Sykesville Road in Carroll County for a fight taking place inside a vehicle.

Police spoke to an employee who told them that he went outside to figure out what was going on because a car horn had been going off.

The employee saw two people fighting inside an SUV in the parking lot and called police.

Troopers talked to Alexander Stephenson, who they allege smelled like alcohol and admitted to having a couple of drinks. He told police the situation was overblown.

They then spoke with his 17-year-old son, who reported that he had been driving when it became apparent that his father was drunk, so he tried to call his stepmother, Amethyst Stephenson.

That's when Alexander Stephenson grabbed his son's cellphone and threw it out of the moving SUV. The son pulled into the parking lot, where a scuffle ensued as he tried to stop his father from grabbing the vehicle's keys, police allege.

Alexander Stephenson's 14-year-old daughter, who'd been in the back seat, told troopers that her father also scratched her right eye.

stepchildren and reported that her husband tried to call her twice — at 7:43 p.m. and 7:44 p.m. — despite the fact that she had a protective order against him.

Police arrested Alexander Stephenson at 9:43 p.m. on a charge of violating a protective order.

The district court commissioner also approved charges including second-degree assault, malicious destruction of property and intoxicated endangerment, and issued a summons for Alexander Stephenson to appear in court.

He was set to return on April 8 for his trial.

Less than four hours after being released, his wife, who had been so afraid of him that she sought a protective order, was dead.

Under Maryland law, if Alexander Stephenson had faced allegations that he abused or threatened to abuse his wife, a district court commissioner [would not have been allowed to release him.](#)

Amanda Rodriguez, CEO of TurnAround Inc., a domestic violence program and rape crisis center that serves Baltimore City and Baltimore and Howard counties, said she thinks there should be more protections in place for survivors when people are accused of violating a protective order.

Often, Rodriguez said, survivors don't know their abuser has been released, so they lack time to get to a safe

On Monday, Huntsmans Run was quiet. Two packages laid in the snow by the mailbox in front of the home. A few cars were parked outside.

In the petition for protective order, Amethyst Stephenson alleged that her husband had access to weapons, including one handgun in the home as well as several others that were in a storage facility.

She also reported that he had knives.

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Woman seeks charges in alleged 2018 Randallstown assault after years of refusals

Céilí Doyle

12/24/2025 9:07 a.m. EST, Updated 12/24/2025 9:27 a.m. EST



Shukura has been pushing to hold the man she alleges raped her in 2018 accountable. (Jessica Gallagher/The Banner)

Baltimore County District Court to appoint outside



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Deep in the Baltimore County District Court building in Towson, Shukura nervously tapped her heels on the linoleum floor.

Years of pain and anticipation led the former Baltimore County resident to this moment — her latest push to hold the man she alleges raped her in 2018 accountable.

Would a District Court commissioner reopen her case? And, if so, would a judge agree to assign an outside prosecutor to try the man?

The answer? Yes. And, maybe.

Last week, a court commissioner charged Shukura's former Randallstown housemate with three counts of second-degree rape and second-degree assault and issued a warrant for his arrest.

Shukura said she spent the better part of the past decade pleading with the [Baltimore County State's Attorneys Office](#), county police detectives and even county officials to prosecute the man she says raped her three times in the summer of 2018. At Shukura's request, The Banner is using only her middle name because it does not identify survivors of sexual assault without their consent.

On Friday, county State's Attorney Scott Shellenberger and his deputy, John Cox, responded to the 44-year-old's efforts to hold the man accountable by asking the court to dismiss the case.

In a filing later that day, Shukura's attorney, [Robbie Leonard](#), requested the judge appoint a special prosecutor from outside Baltimore County to litigate the case. Leonard, who ran against Shellenberger in 2022, but is not next year, argued that neither the state's attorney nor his deputies could be trusted to prosecute the case on behalf of his client, a Black woman.

"[The office] has acted with **unconstitutional bias, inconsistent and shifting legal justifications**, and **professionally inappropriate conduct** in their refusal to prosecute the perpetrator



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On Saturday, [District Court Judge Dorothy Wilson](#) granted Shellenberger's request to dismiss and quashed the arrest warrant, but she reversed her decision Monday after reviewing Leonard's petition.

Court records now show that a hearing will be scheduled for Wilson to listen to both Leonard and Shellenberger before deciding.

"All of this is painful, of course," Shukura said. "But this is the greatest victory in seven and a half years of fighting for justice."

After reviewing Shukura's petition, a District Court judge is scheduled to listen to both Leonard and Shellenberger before deciding whether to allow prosecution of the case. (Jessica Gallagher/The Banner)

How did we get here?

Anyone can [ask a District Court commissioner to charge someone](#) they say committed a crime.

The commissioner's lobby is similar to the Motor Vehicle Administration — down to the plastic blue chairs and bank teller-esque counter window.

On Thursday, Shukura raised her right hand there and swore she was telling the truth in her application to charge the man. Twenty minutes later a commissioner said the case was reopened.

Her advocate, [Amanda Rodriguez](#), CEO of the nonprofit TurnAround, which [assists survivors](#) of sexual and domestic violence and human trafficking, embraced Shukura.



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In multiple interviews Shukura described how her former housemate raped her inside the Randallstown home where they rented separate rooms on June 19, June 21 and July 3 in 2018.

Initially, Shukura refused to move out, rationalizing in her traumatized state that leaving would grant him power.

“He already raped me and that was so humiliating and this was some random dude. He’s not my spouse or boyfriend ...,” Shukura said. “If I run away and move out, then I’m giving him even more power.”

She changed her mind after considering he could endanger others and reported the alleged rapes to Baltimore County police on July 22, 2018.

Police conducted an investigation, but Lisa Dever, then an assistant state’s attorney, declined to charge the man.

Shukura pressed her case, but Cox and Shellenberger also declined to charge the man over the next several years.

Shukura said that Shellenberger told her in a virtual meeting in September 2021 that he believed her, but could not offer more.

“He said: ‘I believe you, but a jury won’t,’” Shukura recalled.

In an interview with The Banner, Shellenberger said he did not want to address specifics because the case is pending.

During a Southwest Baltimore County Democratic Club town hall in May 2022, Shukura asked Shellenberger if he believed she was raped, according to the petition.

“I do not believe we can prove your case,” he told Shukura. “I do not believe the facts that you revealed the first time to the police amount to a crime in the state of Maryland.”





On Friday, county State's Attorney Scott Shellenberger and his deputy responded to Shukura's efforts to hold the man by asking the court to dismiss the case. (Paul Newson/The Banner)

Two years later, John Magee, chief of the State's Attorney's Office's Child Abuse and Sex Offense Division negated that previous position and presented Shukura's case in July 2024 to a grand jury, which declined to indict the man.

"This lack of transparency, coupled with the office's contradictory statements, raises serious concerns about the good faith of the prosecution," Leonard wrote in his petition for outside counsel.

'Unconstitutional discrimination and bias'

Shukura said she believes Shellenberger's office would have treated a white woman differently.



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In the petition, Leonard argues that the state's attorney's office violated his client's constitutional rights and discredited her during the grand jury proceedings.

"Lisa Dever, the first prosecutor to review the Petitioner's case, explained ... she could not prosecute due to her belief that a jury would not believe the Petitioner because she is a Black woman," wrote Leonard, [citing a Baltimore Sun article](#) from July 2022 in which Dever defended her actions.

Dever, whom Shellenberger promoted to the second-highest position in his office, told The Sun she once had a sexual assault case where a juror convinced the rest of the jury not to convict a Black man who reminded her of her son because "all Black women lie," and the victim was a Black woman.

Dever said that shows how prosecutors' must factor in jurors' previous experiences.

"This rationale is fundamentally flawed," Leonard wrote. "By her logic, if a prosecutor cannot prosecute a case without knowing jurors' past experiences or what they will bring to a case, the prosecutor is unable to bring charges. *If this argument is true, no prosecutor could ever move forward on any case.*"

Shellenberger did not address Dever's comments, but said multiple prosecutors in his office reviewed Shukura's case and determined there was insufficient evidence to arrest the man.

"I believe we've made the right decisions throughout this case," he said. "This office handles all their cases fairly and impartially, and that is what we did in this case."

Shellenberger emphasized that Magee brought Shukura's case in front of a grand jury, Shukura had the opportunity to testify and jurors decided not to charge.



Rodriguez, a former Baltimore County assistant state's attorney, said it makes no sense that a grand jury didn't indict because the evidence — including a witness statement from another housemate who overheard Shukura resist the man's advances — was overwhelming.

She also doesn't understand why the office refused to prosecute the case.

"It's the million-dollar question," Rodriguez said. "It's really concerning to me that there has not been a clear answer and that's something I think [Shukura] deserves."

Repeat offenders

This case is [not the first time](#) the state's attorney's office has been accused of [mishandling sexual assault cases and survivors](#).

Baltimore County and the state of Maryland paid sexual assault survivor Anna Borowski \$100,000 in 2022 to [settle a lawsuit](#) in which she claimed Shellenberger and county police detectives violated her First Amendment rights.

Amid complaints that county police and the state's attorney were not properly handling sexual assault cases, County Executive [Johnny Olszewski Jr. established](#) the [Sexual Assault Investigations Task Force](#) in 2019.

The task force [found that county law enforcement](#) was reluctant to pursue cases if women could not prove they physically resisted their assailants.

Roland Patterson Jr., president of Baltimore County's NAACP branch, said Shukura's case is the latest example of a pattern of racism and sexism by the state's attorney's office.



“It’s a double misfortune that [Shukura’s] crime and her victimization had to happen in [Baltimore County],” Patterson said. “It’s a shame she had to suffer in this county, because in this county, she suffered twice.”

Rodriguez explained that many survivors want a judge or jury to review their case to provide closure, and Shukura’s case exemplifies just how difficult that is to achieve.

“We are still not — as a society — acknowledging the trauma of sexual violence and we know ... that so few of these cases are even reported ... and then even less are actually charged and even less are actually prosecuted and even less are actual convictions,” she said.

Céilí Doyle

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Céilí Doyle is a regional reporter covering Baltimore County. She comes to Maryland from Texas, where she previously worked as a housing affordability and regional reporter at the Houston Landing.



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Commissioners - safety - testimony - 2026 - FWA HB

Uploaded by: Lisae C Jordan

Position: FWA



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 336 ONLY if Amended
Lisae C. Jordan, Executive Director & Counsel
March 31, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge a favorable report on House Bill 336 ONLY if Amended.

House Bill 336 – Commissioners and Safety for Victims of Abuse

House Bill 336 would eliminate the ability of a commissioner to issue an arrest warrant for a statement of charges brought by non-law enforcement. Instead, only law enforcement or state's attorneys would be allowed to seek an arrest warrant (versus a summons) from a commissioner. Under current law, an individual is able to go to the commissioner and file a statement of charges. The commissioner then must decide whether to issue an arrest warrant or whether to issue a summons. An arrest warrant for an abuser can remove the abuser from the community and be life-saving for victims of domestic violence, including victims of sexual violence.

There is no question that reforms of the commissioner system are needed, however, Maryland should not endanger survivors as it seeks to fix the Commissioner system: that would be substituting one problem for another. Survivors continue to face far too many situations where their abuse is dismissed or minimized. They are regularly told to go to the Commissioner for relief. Some law enforcement take a report even in cases needing more active responses. In 4th degree sex offense cases and even some felony sexual assault cases, sometimes law enforcement will not even make a report. States' Attorneys are typically not involved until later in the process and these offices are not staffed to provide the 24/7 coverage commissioners have. Survivors currently may also file a statement of charges for a violation of the protective orders, and depending on the facts, it could result in a warrant rather than a summons. This is another necessity for survivors.

Curtailing the ability for a victim to apply for charges and have an arrest warrant issued will remove an important tool that helps victims of abuse in the most serious cases.

Arrest Warrants When Courts are Closed

After extensive discussions in the House Judiciary Committee, a solution was proposed which would have allowed commissioners to issue warrants only when courts were closed and only for cases where there was a finding of danger to another person or to the community. State's Attorneys would then be required to review any warrants issued within 72 hours and could then exercise their authority to request that a warrant be recalled (this authority is already in the Code). This version of the bill also created extensive reporting so the General Assembly could assess what other changes are needed.

MCASA believes that this approach is preferable to what was ultimately passed because it:

- Prioritizes victim safety
- Assesses danger in all types of cases (not just "special victim" cases)
- Eliminates a commissioner's ability to issue a warrant based on lack of an address, history of failure to appear, or current incarceration, unless the applicant is law enforcement. This reduces common abuses of the system.
- Requires the State's Attorney to promptly review commissioner issued warrants. Again, this addresses abuses of the system.
- Imposes reporting requirements to help assess how the changes work.

We urge the Committee to adopt the earlier version of amendments to HB336 (reprint attached).

If the Committee is unwilling to allow commissioners to continue to issue warrants to protect crime victims when courts are closed, MCASA believes it is critical to continue to require the commissioners to assess a case for danger and then refer these dangerous cases to the State's Attorney for further review. In order for this to be effective, it would also be necessary to provide the Courts with authority to convert a summons to a warrant. This is the approach taken in the version of HB336 that passed the House.

In any case, whether this Committee passes substantive changes or decides to continue to study this issue, MCASA urges the Committee to look not only at the choices of applicants and commissioners, but also those of State's Attorneys Offices. Much has been made of data showing many cases are nolle pross'd, however, there seems to be an implication that these are not prosecuted because applicants lie or choose not to go forward. In many cases, the prosecutor is choosing not to pursue a case. Valid cases of sexual assault and domestic violence continue to be under-prosecuted because of prosecutorial discretion and the Committee should not lose sight of this part of the complexity of the policy issue presented by HB336.

MCASA continues to believe that it is possible and appropriate to take steps towards of reform of the commissioner system without eviscerating victim safety. Again, we urge the Committee to reject HB336 as passed by the House and amend it to the version attached.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to report
favorably on House Bill 336 ONLY if Amended**

HOUSE BILL 336

E2
HB 21/25 – JUD

6lr0779

By: **Delegates Addison, Acevero, Amprey, Boyce, Conaway, Hornberger, Lewis, J. Long, Pasteur, Phillips, Roberson, Ruff, Stinnett, and Young**

Introduced and read first time: January 19, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – District Court Commissioners and False Statements – Issuance of Summonses and Arrest Warrants**

3 FOR the purpose of prohibiting a District Court commissioner from issuing an arrest
4 warrant to an individual other than a police officer or a State’s Attorney; altering the
5 penalty for making a certain false statement or report to a certain governmental
6 official or unit; authorizing a District Court commissioner to issue a summons based on an application for a statement of charges filed by a certain individual under certain circumstances; prohibiting a District Court commissioner from issuing an arrest warrant at a certain time; requiring a District Court commissioner to refer an application for a statement of charges to a District Court judge for a certain purpose under certain circumstances; authorizing a District Court judge to issue an arrest warrant under certain circumstances; requiring a State’s Attorney to review a certain case at a certain time for a certain purpose; requiring the District Court to provide victims of crime with access to certain information; requiring the Maryland Judiciary to annually report certain information to the General Assembly; and generally relating to District Court commissioners and false
7 statements issuance of summonses and arrest warrants by the District Court.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 2–607(c)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2025 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 2–607.1 and 2–607.2

Annotated Code of Maryland

(2020 Replacement Volume and 2025 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Courts and Judicial Proceedings**

21 2–607.

22 (c) (1) A **Subject to § 2–607.1 of this subtitle, a** commissioner shall receive
applications and determine probable

23 cause for the issuance of charging documents.

Bill Page 2 of 3

2 **REPRINT OF HOUSE BILL 336 as amended by HB0336/633728/1 03/22/26 at 10:09
PM**

1 (2) A commissioner shall advise arrested persons of their constitutional
2 rights, set bond or commit persons to jail in default of bond or release them on personal
3 recognizance if circumstances warrant, and conduct investigations and inquiries into the
4 circumstances of any matter presented to the commissioner in order to determine if
5 probable cause exists for the issuance of a charging document, warrant, or criminal
6 summons and, in general, perform all the functions of committing magistrates as exercised
7 by the justices of the peace prior to July 5, 1971.

8 (3) There shall be in each county, at all times, one or more commissioners
9 available for the convenience of the public and police in obtaining charging documents,
10 warrants, or criminal summonses and to advise arrested persons of their rights as required
11 by law.

12 (4) A commissioner may exercise the powers of office in any county to which
13 the commissioner is assigned by the Chief Judge of the District Court or a designee of the
14 Chief Judge of the District Court.

15 (5) The Chief Judge of the District Court may authorize one or more
16 commissioners to perform the duties of a commissioner regarding persons arrested in a
17 county other than the county in which the commissioner resides and for which the
18 commissioner was appointed when the arrested persons are brought before the
19 commissioner by a peace officer of the jurisdiction in which that arrest was made.

20 (6) (i) An individual may file an application for a statement of charges
21 with a District Court commissioner.

22 (ii) On review of an application for a statement of charges, a District
23 Court commissioner may issue a summons or an arrest warrant.

24 (iii) A District Court commissioner may issue an arrest warrant only
25 on a finding that:

26 1. There is probable cause to believe that the defendant
27 committed the offense charged in the charging document; [and]

28 **2. The individual filing the application for a**
29 **statement of charges is a police officer as defined in § 3–201 of the**
30 **Public Safety Article or a State’s Attorney; and**

31 [2.] 3. A. The defendant previously has failed to respond to a
32 summons that has been personally served or a citation;

33 B. The whereabouts of the defendant are unknown and the
34 issuance of a warrant is necessary to subject the defendant to the jurisdiction of the court;

35 C. The defendant is in custody for another offense; or
Bill Page 3 of 3

3 **REPRINT OF HOUSE BILL 336 as amended by HB0336/633728/1 03/22/26 at 10:09**
PM

1 D. There is probable cause to believe that the defendant poses
2 a danger to another person or to the community.

3 (iv) On a finding of good cause, a judge of the District Court or a judge
4 of a circuit court may recall an arrest warrant issued by a District Court commissioner
5 under this paragraph and issue a summons in its place.

2–607.1.

(a) A District Court commissioner may issue a summons based on an application for a statement of charges submitted by an individual who is not a police officer or a State’s Attorney if the commissioner determines that there is probable cause that the defendant committed the offense or offenses charged in the charging document.

(b) On review of an application for a statement of charges submitted by an individual who is not a police officer or a State’s Attorney, a District Court commissioner:

(1) may not issue an arrest warrant when the District Court is open

for business;

(2) shall refer the application for a statement of charges to a District Court judge for review and prompt determination of whether a summons or arrest warrant shall issue;

(i) when the District Court is open for business; and

(ii) the District Court commissioner finds that there is probable cause to believe that the defendant poses a danger to another person or to the community; and

(3) may issue an arrest warrant when the District Court is not open for business, if the commissioner determines that:

(i) there is probable cause that the defendant committed the offense or offenses charged in the charging document; and

(ii) there is probable cause to believe that the defendant poses a danger to another person or to the community.

(c) If an arrest warrant is issued under subsection (b)(3) of this section, the State's Attorney shall review the case within 72 hours to determine whether to request that a judge of the District Court or a judge of the circuit court recall the arrest warrant and issue a summons in its place.

(d) The District Court shall provide victims of crime with access to information regarding whether an arrest warrant has been recalled after being issued in response to an application for a statement of charges filed by the victim.

2-607.2.

On or before March 1, 2027, and each March 1 thereafter, the Maryland Judiciary shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, the following data for the preceding calendar year, disaggregated by county, and by the race, sex, and age of victims and by the race, sex, and age of defendants:

(a) the number of applications for a statement of charges filed, including:

(1) whether the application was filed by the police, a State's Attorney, or an individual; and

(2) for each type of applicant, whether the application was denied, resulted in the issuance of a summons, or resulted in the issuance of an arrest warrant; and

(b) for each arrest warrant issued:

(1) whether the arrest warrant was issued by a judge or a commissioner; and

(2) whether there was a request to recall the arrest warrant and, if so, the result of the request.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2026.

Cross-over HB 0336- Criminal Procedure - District

Uploaded by: Catherine OMalley

Position: UNF

BILL NO: House Bill 336
TITLE: Criminal Procedure – District Court Commissioners and False Statements
COMMITTEE: Judicial Proceedings
HEARING DATE: March 31, 2026
POSITION: **OPPOSE**

The Women's Law Center of Maryland (WLC) is a non-profit legal service and advocacy organization dedicated to ensuring the physical safety, economic security, and bodily autonomy of women in Maryland. While our direct representation projects are limited to primarily survivors of domestic violence, our advocacy is in support of gender justice, because all women are entitled to access to justice, equality, and autonomy. We recognize that all the issues we fight for are interconnected.

HB 336 would prohibit a District Court Commissioner from issuing an arrest warrant to an individual other than a police officer or a State's Attorney. It would increase the penalty for making a false statement or report to a certain governmental official or unit from 6 months to up to 3 years imprisonment.

The Women's Law Center of Maryland believes that this law would put victims of intimate partner violence (IPV) at risk for many reasons. Many times, a victim is restricted from reaching out to law enforcement after an abusive incident. Lack of resources like a cell phone (which the abuser may have confiscated), transportation and or childcare, may delay the ability to immediately seek out the services of law enforcement and or the courts. Having the ability to apply for charges to a District Court Commissioner when a victim is able to is essential. Many of our clients do not realize that the abuse they have experienced is criminal until they seek services from domestic violence advocates and attorneys.

As such, The Women's Law Center of Maryland urges an unfavorable report on HB 336

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.

HB336

Uploaded by: Christa Blick

Position: UNF

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

TESTIMONY IN OPPOSITION TO HOUSE BILL 336

March 31, 2026

DOROTHY J. LENNIG, GOCPP EXECUTIVE DIRECTOR

The Governor's Office of Crime Prevention and Policy (GOCPP) advises the Governor on criminal justice strategies, coordinates across public safety agencies, and allocates resources statewide to support public safety. House Bill 336, which would eliminate District Court Commissioners' ability to issue arrest warrants based on a citizen-filed statement of charges, will cause harm to victims of violent crimes and will not solve the issues this bill is intended to address. GOCPP urges the Senate Judicial Proceedings Committee to report unfavorably on HB 336.

HB 336 would prohibit District Court Commissioners from issuing an arrest warrant to anyone but a police officer or state's attorney. If the commissioner believes that the defendant poses a danger to another person or the community, the commissioner would forward the statement of charges to the State's Attorney's Office, whereupon the state's attorney would have up to 72 hours to determine whether to issue a warrant.

GOCPP had not initially intended to take a position on this bill, but after much reflection on its implications felt it necessary to stress that HB 336 will not address the proponents' concerns, but instead will only serve to jeopardize the safety of victims of crime, especially domestic violence, sexual assault, and other violent crimes. The bill's proponents are concerned that citizens maliciously file false complaints, causing innocent people to be arrested and jailed. To support this contention, the proponents point to how few citizen-filed complaints result in convictions. This reasoning fails to account for the number of actual victims who file citizen complaints but do not appear in court for myriad reasons, including fear of the perpetrator, inability to take time off work, and lack of child care and/or transportation, to name but a few. Before undertaking a drastic change in the law, we need more data on how many cases fall into each of these categories and then figure out how to 1) effectively deter filing of false complaints and 2) remove barriers to victims' pursuit of criminal prosecutions. Until then, the only thing HB 336 will accomplish is to strip victims of domestic violence and other violent crimes of a critical form of protection and will ultimately lead to the further assault or death of victims.

One of the shortcomings of HB 336, in addition to the automatic waiting period for a warrant, is that prosecutors will be in no better position to assess the need for a warrant than

commissioners are. At least when a commissioner reviews a statement of charges, the complainant is sitting in front of them and the commissioner can assess the person's demeanor and physical appearance. Prosecutors will have none of this information, only a piece of paper with words on it, to determine how to proceed. This is more likely to lead to dangerous people evading arrest and prosecution than it is to preventing false charges or failure to appear in court. HB 336 is a misguided effort to address one problem by creating a much more significant and dangerous one and reducing victims' access to justice by reducing their access to the courts.

The Governor's Office of Crime Prevention and Policy urges the Senate Judicial Proceedings Committee to issue an unfavorable report on House Bill 336.

HB 336 - MNADV - UNF- Senate.pdf

Uploaded by: Laure Ruth

Position: UNF



BILL NO: House Bill 336
TITLE: Criminal Procedure - District Court Commissioners and False Statements
COMMITTEE: Judicial Proceedings – cross-over
HEARING DATE: March 31, 2026
POSITION: **OPPOSE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that leads diverse community partners toward the common purpose of reducing the occurrence and impact of intimate partner violence. **MNADV urges the Senate Judicial Proceedings Committee to issue an unfavorable report on HB 336.**

House Bill 336 would prohibit a District Court commissioner from issuing an arrest warrant to an individual other than a police officer or a State's Attorney. Despite the hard work put in to make the bill acceptable to opponents, and despite that it is much better than the original version, we oppose this bill unless it is amended. **The real price of this bill in its current form is it will cost someone their life.**

Proponents of HB 336 say the goal of this bill is to prevent false statements by citizens seeking a statement of charges from a commissioner and stating facts that lead to a warrant being issued rather than a summons. *We agree that false statements can cause harmful and traumatizing behavior*, and our own clients experience this all too frequently when abusers bring false charges against them. However, as drafted the bill somewhat addresses this problem, but it is at the expense of individuals who need the ability to obtain a warrant in the proper circumstances. We have grave concerns about the safety and even lives of true victims who should get a warrant and would only be able to get a summons.

Under current HB 336, after a commissioner issues a summons, the case would be sent to the State's Attorney Office (SAO) within 72 hours for investigation and recommendation on whether to issue a warrant. However, as drafted, only a summons would be issued but an investigation would happen within 72 hours. Importantly, proponents of the bill admitted in testimony that some SAOs will have great difficulty in meeting this timeline.

Victims escaping domestic violence need as many pathways to safety as possible. Access to the District Court commissioners is one of the pathways to safety utilized by victims of domestic violence in Maryland, and HB 336 could put victims at greater risk. There are a variety of reasons why a victim may go to a District Court commissioner rather than law enforcement, including that their abuser has made it impossible for them to call 911. Domestic violence is already vastly underreported. We should not risk the safety of victims and remove the ability for District Court commissioners to issue arrest warrants when presented with the requisite probable cause that the defendant committed the underlying charge

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and other factors are met, such as probable cause to believe that the defendant poses a danger to another person or to the community.

Leaving an abuser is often the most dangerous time for a victim of domestic violence. Therefore, the removal of the possibility for a commissioner to issue an arrest warrant could be incredibly dangerous for a victim of domestic violence. In fact, there is an increased likelihood of this bill would actually increase the danger to a survivor. If the victim files for an interim order of protection at the same time as applying for a statement of charges, the respondent/defendant will be served with the order of protection, but the SAO will still be investigating whether to recommend a warrant instead of a summons. Under HB 336, Sheriff's deputies will no longer be able to arrest a defendant at the same time they serve the interim protective order because the warrant will not be issued until days later. As a result, deputies will have to go out multiple times in order to effectuate service of both the protective orders and arrest warrants, which wastes valuable resources both financially and in terms of deputies' time.

Once served with the order of protection, the respondent will be vacated, thus creating the distinct possibility that if the SAO does recommend a warrant, and the commissioner issues the warrant, law enforcement will no longer have an address for the respondent/defendant and will be unable to serve the warrant. **By only permitting the issuance of a summons a victim might not be able to escape to safety. The abuser will be on notice that the victim reported the abuse and that a criminal case is pending.**

The truth is, HB 336 is being pursued at the expense of victims/survivors when information exists that would inform a commissioner if the applicant for statement of charges is a repeat applicant, if there is an order of protection between the parties, and other relevant facts the commissioner should have to determine whether to accept a statement of charges and whether or not an arrest warrant should be issued.

PROPOSED AMENDMENTS:

If you insist on passing something this year, we propose several options to amend this bill.

1. Amend this bill to a task force – gather the stakeholders, states attorneys from multiple jurisdictions, and including the judiciary and commissioners, which have the expertise to know how this works practically .
2. On the morning of March 13, the proponents of the bill presented a version of the bill that would protect victims more than the current version (attached). An applicant would only be

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able to get a warrant from a commissioner if the courts were closed. If the court is open, the applicant would be referred to the court to determine whether to issue a warrant.

3. Amend the bill to invert the process. Essentially, a commissioner could issue a summons or a warrant, but it would then be forwarded to the SAO, which would within 72 hours review and investigate the case and could recommend that a warrant be quashed. **They can already do this.** If the bill was drafted in this manner, then if an applicant filed for an interim order of protection and at the same time as filing for a statement of charges that resulted in a warrant, law enforcement could serve both at the same time, and thus not lose the location of the respondent/defendant.
4. Amend the bill to allow commissioners to review the applicant in much the same way they are currently able to investigate the prospective defendant. Place limitations on an individual seeking a statement of charges to get a warrant if certain facts exist – an existing order of protection between the parties, more than 2 prior filings by the applicant against the same prospective defendant, other limitations.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges an unfavorable report on HB 336.**

HB 336 FVC Letter of Opposition (2026) .pdf

Uploaded by: Rebecca Allyn

Position: UNF



Governor's Family Violence Council
100 Community Place, Crownsville, MD 21032

ARUNA MILLER, Co-Chair
Lieutenant Governor

ANTHONY BROWN, Co-Chair
Attorney General

TESTIMONY IN OPPOSITION OF HOUSE BILL 336

March 31, 2026

Governor's Family Violence Council

The Governor's Family Violence Council is composed of stakeholders, including government officials, law enforcement, legislators, community advocates, victims' rights representatives, state and local government representatives, and survivors. The mission of the Governor's Family Violence Council is to provide the Governor with timely and accurate information on family violence with recommendations that will reduce and eliminate abusive behaviors.

The Governor's Family Violence Council urges the Senate Judicial Proceedings Committee to report unfavorably on House Bill 366. As drafted, HB 336 would prohibit District Court Commissioners from issuing an arrest warrant to anyone but a police officer or State's Attorney. If the commissioner believes that the defendant poses a danger to another person or the community, the commissioner could forward the statement of charges to the State's Attorney's Office to determine if a warrant is appropriate, whereupon the State's Attorney would have up to 72 hours to determine whether to issue a warrant.

This bill does not align with the Governor's Family Violence Council's mission to reduce and eliminate abusive behaviors. The ability to apply for a statement of charges with a District Court Commissioner and have an arrest warrant issued is an important safety tool for victims of domestic violence. Many victims are unable to call 911 during an abusive incident, either because the abuser takes away or destroys their phone or threatens to kill the victim if they attempt to call 911. Their only recourse in such instances is to go to a District Court Commissioner at the first safe opportunity to do so and apply for a statement of charges.

Victims who file charges remain in significant and imminent danger until the perpetrator is arrested. House Bill 336, as amended, would create an automatic waiting period between when a victim files a statement of charges and when the perpetrator could be arrested, as a State's Attorney would have up to 72 hours to review the charges and decide to issue an arrest warrant. This leaves victims vulnerable to further violence, including homicide, and in a state of fear while they wait for the State's Attorney to review the charges.

Victims frequently go to District Court Commissioners and simultaneously file statements of charges and interim protective orders. Under current law, Sheriff's deputies are then able to serve perpetrators with the interim protective order and effectuate the arrest warrant at the same time. Under HB 336, Sheriff's deputies will no longer be able to arrest a defendant at the same time they serve the interim protective order because the warrant will not be issued until days later. As a result, deputies will have to go out multiple times in order to effectuate service of both the protective orders and arrest warrants, which wastes valuable resources both financially and in terms of deputies' time. In addition, it decreases the likelihood that deputies will be able to find the perpetrator to make an arrest because they will already have been served with the

protective order and vacated from the parties' residence, making them harder to find and giving them an opportunity to flee the jurisdiction.

Not only does this bill leave victims in danger and increase the likelihood that perpetrators will be able to avoid arrest altogether, it also communicates to victims that their safety and sense of well-being is not worthy of an immediate response from the justice system. House Bill 366 is a dangerous step backward in Maryland's approach to promoting safety for victims of domestic abuse.

For these reasons, the Governor's Family Violence Council urges the Senate Judicial Proceedings Committee to report unfavorably on House Bill 366.

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HB336

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Position: UNF



Governor's Family Violence Council
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TESTIMONY IN OPPOSITION OF HOUSE BILL 336

March 31, 2026

Governor's Family Violence Council

The Governor's Family Violence Council is composed of stakeholders, including government officials, law enforcement, legislators, community advocates, victims' rights representatives, state and local government representatives, and survivors. The mission of the Governor's Family Violence Council is to provide the Governor with timely and accurate information on family violence with recommendations that will reduce and eliminate abusive behaviors.

The Governor's Family Violence Council urges the Senate Judicial Proceedings Committee to report unfavorably on House Bill 366. As drafted, HB 336 would prohibit District Court Commissioners from issuing an arrest warrant to anyone but a police officer or State's Attorney. If the commissioner believes that the defendant poses a danger to another person or the community, the commissioner could forward the statement of charges to the State's Attorney's Office to determine if a warrant is appropriate, whereupon the State's Attorney would have up to 72 hours to determine whether to issue a warrant.

This bill does not align with the Governor's Family Violence Council's mission to reduce and eliminate abusive behaviors. The ability to apply for a statement of charges with a District Court Commissioner and have an arrest warrant issued is an important safety tool for victims of domestic violence. Many victims are unable to call 911 during an abusive incident, either because the abuser takes away or destroys their phone or threatens to kill the victim if they attempt to call 911. Their only recourse in such instances is to go to a District Court Commissioner at the first safe opportunity to do so and apply for a statement of charges.

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