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March 5, 2026

TO: The Honorable J. Sandy Bartlett
Chair, Judiciary Committee

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

RE: House Bill 1309 – Commission to Review and Assess Racial Disparities in
the State Criminal Justice System – Establishment (Support)

The Office of the Attorney General (OAG) supports House Bill 1309 – Commission to Review and Assess Racial Disparities in the State Criminal Justice System - Establishment. House Bill 1309 establishes the Commission to Review and Assess Racial Disparities in the State Criminal Justice System to study and make recommendations on the disparate treatment of African Americans, Hispanics, and other non-White individuals throughout Maryland's criminal justice system.

This legislation directly supports our efforts to advance equal justice under the law and to ensure that Maryland's criminal legal system operates fairly and transparently for every resident of our State. A rigorous, evidence-based examination of racial and ethnic disparities across every stage of the criminal legal process (from arrest and charging through sentencing and supervision) is the kind of work that should inform legislative and policy reform in Maryland.

House Bill 1309 creates a measured, appropriately scoped mechanism to conduct that analysis. The Commission would examine how cumulative disparities manifest across policing, pretrial detention, charging, diversion, plea practices, sentencing, and community supervision. It would also study data collection gaps, opportunities to expand race-neutral risk and needs assessments, the potential for increased judicial discretion at sentencing, and possible reforms to mandatory minimum sentencing structures. By pairing legislative oversight with academic expertise from institutions such as the University of Maryland or Morgan State University, the bill ensures that its findings will be both credible and actionable.

This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us.

The OAG looks forward to contributing its legal expertise and institutional perspective to the Commission's work, and to using the Commission's findings to inform future advocacy for equitable criminal justice policy.

We appreciate the General Assembly's commitment to this important work 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 1309 a favorable report.

Cc: Members of the Committee