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Bill Number: HB 1361

Position: Favorable

The Maryland State's Attorneys' Association (MSAA) writes in favor of House Bill 1361 and respectfully requests a favorable report.

It is common for the trafficking of controlled dangerous substances to involve several individuals conspiring over multiple jurisdictions and other crimes, especially firearm offenses. House Bill 1361 assists law enforcement and prosecutors with a more efficient way to handle these cases. It addresses the more realistic way that these crimes are committed.

Although some provisions of this bill do not create new laws, they do consolidate principles under one statute. Under Maryland common law, it already is established that one cannot conspire to commit a violation of Criminal Law Article 5-602; this bill only codifies that law. The bill also restates the penalty for conspiracy as also defined in Criminal Law Article 1-202. However, by expanding the venue, the bill allows for a single State's Attorney's Office or the Attorney General as opposed to multiple jurisdictions to prosecute a conspiracy and all the underlying offenses. If all the jurisdictions agree, one office could handle the case more efficiently rather than multiple offices expending the same resources to prosecute portions of the conspiracy. Oftentimes, the same evidence is used to prove the different aspects of the case.

Additionally, the defendant would not have to defend the case in multiple jurisdictions, only one. At a time of technological advances that expand the boundaries of these conspiracies and limited resources that strain the abilities of law enforcement agencies, this bill would allow for effective collaboration to keep our communities safe from drug trafficking and the related firearms offenses.

MSAA is asking for a favorable report.