



MARYLAND SENATE REPUBLICAN CAUCUS

September 21, 2020

Senator Bill Ferguson
President of the Maryland Senate
H-107 State House
100 State Circle
Annapolis, MD 21401

Dear President Ferguson,

We are writing to voice our serious concerns about the “bill hearings” scheduled this week before the Judicial Proceedings Committee.

It is shocking that with more than 50 people shot in two weeks in Baltimore, 240 individuals shot and killed in Baltimore this year, including 3-year-old Shaniya Gilmore and her pregnant mother, JPR would hold hearings on a suite of 15 bills that would certainly result in less policing. It is equally troubling that, given the incredible and unacceptable carnage in Baltimore, we would exclude legislation modeled after Governor Hogan’s anti-crime package, which the Senate passed 43-4 last Session, from being heard at the same time. It is imperative that we move similar legislation quickly to keep people safe from rising crime. We ask that the Judicial Proceedings Committee cancel what is really nothing more than an anti-police political rally and instead hold hearings on a potential anti-crime package that will save lives in our state by keeping repeat violent offenders who use guns off the street and in prison.

In 2015-2016, after the death of Freddie Gray and the Baltimore Riots, the General Assembly put together a bipartisan police reform workgroup where Republicans and Democrats came together, and passed, almost unanimously, the Police Reform and Accountability Act. It should be noted that this process involved a series of public hearings to determine the problem and propose solutions. We did not initiate the hearings with a group of bills created by ideologically one-sided advocacy groups.

JPR has a strong tradition of coming together on tough issues on behalf of all Marylanders to find meaningful solutions. Police Reform and the Justice Reinvestment Act both passed with nearly unanimous votes as have other bills that dealt with crime and race and that inspired strong opinions on the political right and left. This is because the JPR members have worked together in a bipartisan fashion to carefully craft legislation to appropriately deal with these tough problems.

Even the Maryland House of Delegates, which is a more partisan and less deliberative body than the Senate, has put together a bi-partisan task force this summer to look at police related issues.

This is all in stark contrast with JPR’s planned three days of hearings on 15 unambiguously anti-police bills introduced by three Democrat members of the committee. It should be noted that Republicans were not even

invited to introduce legislation. Perhaps even worse, the hearings do not include any scheduled time for law enforcement officials to brief members and the public on our state's current training policies on use of force

and how they play out practically as well as on the views of our law enforcement professionals on potential opportunities for improvement.

Sadly, the draft legislation in front of the JPR committee is largely a reintroduction of far-left, anti-police bills that have been floating around Annapolis for years. These proposals have been repeatedly rejected because they would further demoralize our police and strip them of their due process rights. Thus, it would appear that this hearing is simply a planned and concerted effort to excite partisan, political activists before an upcoming election.

While we have seen national stories of police misconduct, such incidents are quite rare in Maryland. In fact, we have seen far more examples of police being assaulted and killed in the line of duty. For example: a suspected DUI offender dragging a State Trooper 2,000 feet down the highway in Howard County; a juvenile offender running over an officer in Baltimore County, and Baltimore City Police officers being punched and kicked.

While Baltimore City is trying to deal with all this bloodshed, the City is still hundreds of police officers understaffed. One has to wonder how Baltimore and other communities will ever be able to fill their backlog in police hiring if all of these anti-police bills pass. Why would anyone want to join the police force when it appears that the Maryland General Assembly not only refuses to support the police but is passing bills that would subject them to up to ten years in prison as well as unlimited personal liability for their split-second decisions that, with 20-20 hindsight, are found by untrained people to have been wrong.

To start this process, months before session, with 15 highly partisan, anti-police bills is an affront to not just the minority party but also to the longstanding tradition of collegiality in the Maryland Senate.

Furthermore, we object to capping the number of people from the public who will be able to testify, and of course there is a strong likelihood that members of the public will have no knowledge of next week's hearings until after they have concluded, inasmuch as the hearings are being held at a time of the year when hearings are never held. Real solutions require input from all stakeholders, not just a select group of partisan advocates.

While it is not yet clear what process will be followed next week (as we have been shut out of the planning process), we would also object to any attempt to characterize these three days as "public hearings" as that term is used in the Senate Rules. Even if events planned for next week proceed, these proposed bills should still be introduced as any other bills at the start of the 2021 session, assigned to an appropriate committee, and public hearings held on each bill in the ordinary course, as with any other bill introduced for the 2021 session.

In summary, we request that the hearings scheduled on these 15 bills be cancelled and, as the Maryland Senate has done in the past, that hearings be scheduled on the problems to be addressed, that public input be requested on appropriate solutions, and that a consensus then be developed on legislative solutions.

Finally, if we are holding emergency hearings, we should also be holding hearings on anti-crime legislation like Governor Larry Hogan's bills which target repeat violent offenders. Clearly there is a crisis of violence in

our streets that must be addressed. Both Democrats and Republicans should be able to introduce bills on these issues and not just three select members of the majority party.

Let's not turn the Maryland Senate into a "Capitol Hill-style" show with partisan hearings. We can and should do better.

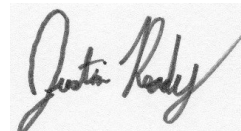
Sincerely,



Senator Bob Cassilly



Senator Michael Hough



Senator Justin Ready



Senator Chris West



Senate Minority Leader
J.B. Jennings



Senate Minority Whip
Steve Hershey



Senator Mary Beth Carozza



Senator Jason Gallion



Senator Johnny Ray Salling



Senator George Edwards



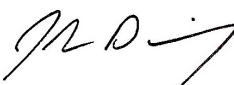
Senator Ed Reilly



Senator Bryan Simonaire



Senator Addie Eckardt



Senator Jack Bailly



Senator Paul Corderman