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MARYLAND GENERAL ASSEMBLY JOINT REPUBLICAN CAUCUS

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Senate and House Republicans Announce 2024 Public Safety Agenda

*Legislation will restore balance to Maryland's criminal and juvenile justice systems
and safeguard neighborhoods and communities from violent offenders*

Annapolis, Md – Today, the Joint Republican Caucus announced its 2024 Public Safety Agenda which includes five legislative proposals to restore balance to Maryland's criminal and juvenile justice systems and safeguard neighborhoods and communities from violent offenders.

“The Joint Republican Caucus shares the concerns most important to Marylanders. As such, restoring safer communities is our top priority of the 2024 Legislative Session,” said Senate Minority Leader Steve Hershey. “Over the last several years, the focus of the Democrat-led General Assembly has been to pass policies that enable criminals and degrade our law enforcement officers, rather than to make our communities safer. It is time to return balance to our public safety policy priorities and protect innocent Marylanders.”

The Joint Republican 2024 Public Safety Agenda includes familiar and new legislative proposals.

Violent Firearms Offenders Act of 2024

The Violent Firearms Offenders Act has been introduced since 2020 and passed the Senate with bipartisan support in 2020 and 2021 but has never moved in the House.

The Violent Firearms Offenders Act of 2024 is a reintroduction of the bill in the posture it passed the Senate in 2021, and

- Increases the penalties for committing crimes with an illegal firearm from 3 years to 5 years of prison time and raises the maximum fine from \$2,500 to \$10,000.
- Repeals the unconscionable “drug dealer loophole” where drug dealers who use a firearm in the commission of a felony receive special treatment and are not charged with a crime of violence, when others arrested for the same offense, and are not dealing drugs, are charged with the more serious crime.
- Creates penalties for someone who sells or gives someone a gun knowing that they will use it to commit a crime.

“The lack of action year after year on this commonsense bill aimed to increase accountability for violent criminals and remove an egregious loophole in statute is infuriating,” said Senator William Folden, the bill's lead sponsor in the Senate. “Why on Earth would the General Assembly be willing to allow drug dealers to receive lighter charges,

especially when we know that there is a strong connection between the drug trade, gun trafficking and violent crime?”

Gun Theft Felony Act of 2024

The Gun Theft Felony Act is a simple, commonsense bill that Republicans have been sponsoring since 2018, but has never advanced in the House nor the Senate. The legislation would make the theft of a firearm a felony, rather than a misdemeanor and increase penalties accordingly.

“If we want to get illegal guns off our streets, we have to make the theft of a firearm a felony,” said Delegate Rachel Munoz, the bill’s lead sponsor in the House. “We already know the majority of guns used to commit crimes are not purchased legally. We need to address one of the root causes of illegal firearms: theft.”

Safe Communities Act of 2024

The Safe Communities Act of 2024 aims to ensure that violent offenders actually serve the duration of their sentence, and does not allow repeat, violent offenders to receive bail. Specifically, the legislation:

- Eliminates Diminution Credits (or “Good Time Credits”) for 1st & 2nd Degree Murder
- Adds a cap on Diminution Credits for other crimes of violence to no more than a 10% reduction in sentence.
- Prohibits bail for an individual charged with a crime of violence if the individual has pending charges for a previous crime of violence.

“Too often, our headlines are filled with stories of victims whose lives ended tragically at the hands of someone with a history of violent crime who was released back into the community after serving just a few years in prison,” said House Minority Leader Jason Buckel. “To keep our communities safe, criminal sentences need to mean something – particularly as it relates to crimes of violence. To protect our citizens, we must ensure that dangerous violent offenders remain in prison.”

Drug-Free Roadways Act of 2024

The Drug-Free Roadways Act of 2024 eliminates the prohibition on police searching vehicles based on the smell of cannabis.

In the waning moments of the 2023 General Assembly session, the House of Delegates rushed to pass a bill that included a provision making it illegal to stop and search a vehicle due to the smell of cannabis. According to a [Canadian](#) study released in September, documented cannabis-related traffic accidents that required an emergency room visit increased 475% between 2010 and 2021. Canada legalized recreational cannabis in 2018.

“By rushing to pass this legislation, the General Assembly put our citizens at risk,” said House Minority Whip Jesse Pippy. “Driving under the influence of drugs or alcohol is illegal. When the smell of cannabis smoke is billowing out of a moving vehicle, it is very likely that the driver is under the influence. Prohibiting law enforcement from stopping said vehicle is like prohibiting an officer from stopping someone who’s chugging a beer while driving. This is dangerous.”

It is more than the safety of the motoring public that is at stake now that vehicles cannot be stopped and searched due to the smell of cannabis. This prohibition also makes it more difficult to get illegal guns off the street. In Montgomery County alone, 80% of the guns seized in 2022 came from searching vehicles due to the odor of cannabis. Now as crime rages throughout our state, law enforcement has lost a significant way to confiscate illegal firearms.

Juvenile Justice Restoration Act

The Juvenile Justice Restoration Act seeks to right the recent wrongs of new juvenile justice laws that have made it nearly impossible to ensure that there are appropriate consequences for young offenders. These laws have also made it more challenging to connect juvenile offenders with the services they need to prevent them from becoming repeat offenders.

Overall, juvenile crime in Maryland is below pre-pandemic levels. However, specific categories of dangerous crimes are climbing sharply. Juvenile carjackings in Maryland have jumped by 85% and handgun violations statewide were up 220% between 2021 and 2023. Regionally, the numbers are higher. For example, Montgomery County has seen a 95% increase in juvenile-related violent crime since 2019.

The Juvenile Justice Restoration Act is a response to loud outcry from the public, law enforcement and States Attorneys. Our members have heard them and propose the following legislation to combat Maryland's juvenile crime crisis. The Juvenile Justice Restoration Act will:

- Amend the law passed in 2023 that requires an attorney be present for a juvenile to be questioned, even if their parent has consented. This bill would allow parental consent as a substitute for the required consultation with an attorney.
- Require that juveniles younger than 13 who use firearms in the commission of a crime will come under the jurisdiction of the juvenile court system.
- Provide that upon the child's third arrest for a crime that does not fall within the category of "crimes of violence" or a crime committed with a firearm, the child will come under the jurisdiction of the juvenile court system. This would help eliminate the "catch and release" of juveniles repeatedly apprehended for repeatedly committing nonviolent crimes like car theft.

"The number of illegal handgun violations, carjackings, and car thefts committed by juveniles is skyrocketing," said Delegate Nic Kipke, who, along with Delegate Kathy Szeliga, is the lead sponsor of the measure. "Just last week we saw a video of two juveniles viciously beating a woman in order to steal her car and it appears they will not face any consequences for their actions. The current laws are robbing children of a happy productive life and grooming them to become felons as they continue to commit crimes without accountability."

"No one here is advocating for the mass incarceration of children," said Delegate Kathy Szeliga. "This is about saving lives. Not only is the number of juvenile perpetrators of these crimes increasing, but juveniles are also becoming victims. The number of youth homicides has increased 88% since 2018. This is madness, and it must end."

"The crime we're seeing in our communities is not anecdotal or media-manufactured. It is real," said Senate Minority Whip Justin Ready. "The violence is real, and the victims are all too real. It is time to take action, not just talk. There seems to finally be a recognition from the Governor and more of our colleagues on the other side of the aisle. We welcome them to join us and pass these commonsense solutions that we've advocated for years."

In addition to the Public Safety Agenda, the Joint Republican Caucus will also be presenting legislation on other priorities, including education, the state budget and spending, and transportation as the 2024 Session approaches.

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