

STATE OF MARYLAND



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**District Public Defender Submits Written Testimony in Opposition of Mandatory
Minimum Sentence Bill**

For immediate release – July 25, 2017.

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Today, at a Baltimore City Council hearing, the District Public Defender for Baltimore City, Kirsten Downs, submitted testimony opposing a proposed ordinance that would impose a mandatory minimum sentence for misdemeanor gun possession.

“[The proposed ordinance] targets the lowest rung of gun cases and hampers judges’ ability to consider the specific circumstances of the residents charged,” testified Kirsten Downs, District Public Defender for Baltimore City. “Rather than impose stiff penalties on the people considered the most dangerous, it will further push into the criminal justice system at risk youth and other individuals who are better served by community-based services.”

The proposed ordinance would require a sentence of at least one year incarceration and \$1,000 fine for misdemeanor gun possession within 100 yards of a park, church, school, public building, or other place of public assembly. Downs noted that misdemeanor gun possession is often charged when the police seize a gun found inside a car and arrest everyone inside, stating: “Individuals who are young, have had no prior involvement with the criminal justice system, and were in the wrong place with the wrong people at the wrong time are common defendants.”

Downs also explained that evidence suggests mandatory minimums are ineffective as a crime prevention tool. “Our Legislature is thoughtfully moving away from those policies and laws that support the mass incarceration of people of color. This bill runs counter to the efforts of the State Legislature, and places Baltimore City residents at greater risk of increased incarceration than other Marylanders.”

“Gun violence in this City is not due to a lack of sufficient penalties available or imposed by judges,” concluded Downs. “Baltimore’s violence is rooted in insufficient treatment resources, lack of employment options and problematic policing. The City Council would better serve our residents and communities by addressing these deficits, rather than diverting attention and resources to re-enlisting failed practices.”

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