

## MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



To: Chair Smith and Senate Judicial Proceedings Committee Members  
From: Jennifer Zito and Bill Carlson, MAJR executive committee

February 26, 2025

The Maryland Alliance for Justice Reform (MAJR) asks you to support of SB 873 – Criminal Law – Third Degree Assault.

We believe SB 873 is a sensible bill that will create a new category of lesser assault charges in cases which are not as serious as many second-degree assault charges. Specifically, those case where there is physical contact but no physical injury nor the risk of serious physical injury. The bill specifies a maximum penalty for such offenses of 90 days in prison and/or a fine not to exceed \$500. This seems very appropriate for these offenses, while the current maximum penalty of 10 years in prison and/or a \$2500 fine seems excessive.

Currently, the actions described in the bill could be sentenced by a judge as a second-degree assault with a sentencing guidelines category V and a maximum penalty of 10 years. Lessening the nature of the offense also would likely cause the Sentencing commission to assign a lesser guidelines category (perhaps VII) to the new 3rd degree assault offense as has been done for other lesser offenses to ensure that proportionally lesser sentences will be imposed

The Maryland Alliance for Justice Reform (MAJR) is a nonpartisan, all-volunteer organization of nearly 2000 Marylanders who advocate for sensible evidence-based legislative and policy changes in Maryland's correctional practices. MAJR thanks you for the opportunity to provide input on this important legislation and urges the committee to give SB 873 a favorable report.