

State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 849 – *Criminal Law and Procedure – Criminal Gang Offenses*.

This bill prohibits a person from threatening an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang. It prohibits specified threats or physical violence within a specified distance of school property. It establishes penalties for specified violations of the Act and prohibits the merging of specified crimes.

Senate Bill 488, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 849.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

House Bill No. 849

AN ACT concerning

Criminal Law and Procedure – Criminal Gang Offenses

FOR the purpose of authorizing information relating to criminal gang affiliation to be included in a presentence investigation report under certain circumstances; prohibiting a person from threatening another an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the other individual to participate in or prevent the other individual from leaving a criminal gang; prohibiting a person from using physical violence with the intent to coerce, induce, or solicit another to participate in or prevent the other from leaving a criminal gang; prohibiting a person from threatening to use or using physical violence with the intent to coerce, induce, or solicit an individual, or a friend or family member of an individual, to participate in or prevent the individual from leaving a criminal gang in, on, or within a certain distance of certain school property; establishing certain penalties for certain violations of this Act; providing for the application of certain provisions of this Act; prohibiting the merging of certain crimes; expanding the list of offenses for which a law enforcement agency making an arrest of a child enrolled in a public school system is required to notify the local superintendent to include certain offenses involving gang affiliation; defining certain terms; providing for the construction of this Act; and generally relating to criminal gang offenses.

BY repealing and reenacting, with amendments,
Article – Correctional Services