

January 21, 2021 @ 1:30pm (House Hearing)

House Judiciary Committee
Maryland General Assembly
State House
100 State Circle
Annapolis, MD 21401

RE: HB 385 – Felony Murder – Limitations and Review of Convictions for Children
SUPPORT

Please accept my written testimony in support of House Bill 385 (HB 385). I am testifying on behalf of Family Support Network and from a personal perspective as my husband is a juvenile lifer that was convicted of Felony Murder. He entered the Department of Corrections at the age of 16. In 1993, he was sentenced to two consecutive life sentences plus 23 years. One of the two life sentences is first degree felony murder and the other is for conspiracy to commit murder. He was not the primary in this offense but, because of the current law he was charged and convicted of first-degree murder as a juvenile.

My husband's offense included himself and 4 other co-defendants. Co-defendant #1 turned state's evidence and after having served one year was released in exchange for his testimony. Co-defendant #2 died in prison from cancer. Co-defendant #3 pled guilty and was sentenced to one life term and is currently incarcerated. Co-defendant #4 who was the primary in the offense was sentenced to three life terms plus 50 years and his sentenced was reduced and he was released on December 17, 2020. Co-Defendant #4 who is the primary in this case has been released while myself and co-defendant #3 who are the least culpable in this offense continue to sit in prison with no recourse. Our sentencing judge retired and our cases were assigned to different judges which has allowed the present disparity in how each of our cases have progressed through the system. **The Prince George's State's Attorney is in support of my release but, the Judge still denied my petition while my Co-Defendant #4 is a free man.** Under fundamental fairness, this is not fair, equitable and quite frankly should not be allowed to happen. The current law allowed all of us to be charged with murder despite our individual roles in the offense. This allowed us all to receive the harshest of sentences when we would likely have received far less sentences if we had been charged based on our individual participation.

It is my desire that you consider the legislation before you as a step in the right direction of fixing a sentencing structure that is completely unfair to the most vulnerable among us – children. Maryland leads the nation in its level of incarcerated black men ages 18 to 24. This legislation will allow review of those convicted as juveniles of felony murder providing an opportunity that might not otherwise exist. If there is no mercy and consideration for the irrationality of juveniles – who is more worthy? I hope that you will unequivocally support this bill and move it forward for a favorable vote.

Respectfully,



Martina Hazelton
Co-Founder, Family Support Network