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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 29, 2023
The House Judiciary Committee
SB 252 Reckless and Negligent Driving – Death of Another – Must
Appear Violation (Sherry's and Christian's Law)
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Clippinger, Vice Chair Moon, and the members of the distinguished House Judiciary Committee for this opportunity to present Senate Bill 252 – Reckless and Negligent Driving – Death of Another – Must-Appear Violation (Sherry's and Christian's Law), and respectfully ask for your support of this bill. I want to publicly recognize and thank ABATE of Maryland for their leadership and persistence in advocating for SB 252 over the years.

This bill is intended to close a loophole pertaining to reckless or negligent driving regarding fatal accidents. Under current law, if someone is charged with negligent driving even when they are involved in a fatal accident, they do not have to appear in court. They are charged with a misdemeanor and subject to a maximum fine of \$1,000, and they can pay this fine without ever appearing before a judge or facing the loved ones that are left behind.

This bill is named after two different victims of two different, devastating accidents. On July 5, 2019, Sherry Zdon and her husband Thomas were out for a late afternoon drive in Conowingo Maryland when they were struck head-on by an oncoming vehicle. Both Sherry and Thomas suffered severe injuries, and unfortunately, Sherry later died of those injuries. Her husband Thomas had to have his left arm and left leg amputated. To this day, the person who caused Sherry Zdon's death has not appeared in court as it is not required.

Travis "Christian" Butcher, the other person referenced in the bill title, was driving to work the day before Thanksgiving in 2016, when he was hit on Route 7 in Abingdon Maryland. He had the right of way, but the driver did not yield to him. After three days in Shock Trauma, Christian passed away from his wounds. He was only 19 years old, and despite a long rap sheet, the driver never had to appear before a judge for her actions.

Under SB 252, a person *charged* with negligent driving that contributes to a fatal accident must appear in court and cannot prepay the fine. As amended, a person *convicted* of reckless driving

that contributes to a fatal accident is subject to imprisonment not exceeding five days or a fine up to \$1,000 or both. A person charged with reckless driving already is required to appear in court.

On average, there are 514 fatal crashes in Maryland each year. Being able to face the person who caused such pain often plays a major role in the healing process, and requiring that person to show up in court provides a safe environment. I want to note that there is some discretion for a judge to waive the must appear if the two parties meeting would be considered dangerous, such as possible gang involvement.

These types of cases, where there is a victim, should not be treated the same as a victimless vehicle accident. Mr. Chair and Vice Chair, I respectfully urge the House Judiciary Committee Members for a favorable report on Senate Bill 252. Thank you for your kind attention and consideration.