

MARY BETH CAROZZA  
Legislative District 38  
Somerset, Wicomico,  
and Worcester Counties

Education, Energy, and  
the Environment Committee

Executive Nominations Committee



Annapolis Office  
James Senate Office Building  
11 Bladen Street, Room 316  
Annapolis, Maryland 21401  
410-841-3645 · 301-858-3645  
800-492-7122 Ext. 3645  
Fax 410-841-3006 · 301-858-3006  
MaryBeth.Carozza@senate.state.md.us

**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

**February 1, 2024**  
**The Senate Judicial Proceedings Committee**  
**SB 87 Homicide or Life-Threatening Injury by Motor Vehicle or Vessel**  
**– Parole Eligibility and Penalties**  
**Statement of Support by Bill Sponsor Senator Mary Beth Carozza**

Thank you Chair Smith, Vice Chair Waldstreicher, and members of the distinguished Senate Judicial Proceedings Committee for this opportunity to present Senate Bill 87 – Homicide or Life-Threatening Injury by Motor Vehicle or Vessel – Parole Eligibility and Penalties.

Once we left Annapolis after the 90-day session, like you, I spent the rest of 2023 listening to my constituents and working with them to develop creative solutions to their concerns. This past year, I especially focused on public safety initiatives, with input from local constituencies – leaders from our schools, churches, community organizations, businesses, law enforcement and local state’s attorneys, to introduce a bipartisan package of bills addressing violent crime and juvenile crime. Through this process, I also focused on another public safety priority – increasing driver accountability when their criminally irresponsible conduct leaves others dead or permanently injured.

I heard stories, some of which you’re going to hear today, some of which you’ve heard during your consideration of Jamari’s Law last week, about sentences that offend many, especially victims and their families, that utterly fail to capture the impact of these offenses. I heard stories about individuals who, despite being sentenced to years in prison, are released on parole after mere months.

Many Marylanders are astonished to learn that a repeat drunk driver who gets behind the wheel while impaired and kills someone faces a maximum sentence of five years. Even more astonishing, that same individual, even if they receive the maximum, could be released on parole after having only served fifteen months. Fifteen months for a repeat drunk driver that stole someone from their family, from their community, from our state.

Senate Bill 87 makes three significant improvements for driver accountability for those who have been convicted of driving crimes causing life-threatening injuries or death.

First, it provides that violations of Wade's Law (conviction of criminally-negligent driving causing life-threatening injuries) will qualify a defendant for subsequent offender penalties if they continue to drive in a criminally-irresponsible manner and cause the death or serious injury of another. Currently, a driver who has previously violated Wade's Law and continues to drive in a criminally-negligent manner, going on to kill someone, will be treated as a first offender by that statute, and only subject to the penalties that a first offender is subject to despite having already engaged in similar conduct. Senate Bill 87 increases accountability by adding a subsequent offender penalty and recognizes that perpetrators should not get a pass simply because their criminally-negligent conduct did not kill someone the first time.

Second, Senate Bill 87 provides for modest increases in sentences, primarily for subsequent offenders. You should have in your packets a chart prepared by the Maryland State's Attorney's Association that summarizes these long-overdue increases. Subsequent offender penalties exist to deter individuals from continuing to engage in the same criminal conduct and to protect the public from those individuals. Right now, a driver who kills someone with criminal negligence and then, after they have been released from their sentence, does the exact same thing again, killing a second person, is subject to a five-year maximum sentence. This penalty is offensive to victims and wholly inadequate to protect the public from someone who has demonstrated, by their conduct, that they are incapable of following the law and driving safely.

Finally, Senate Bill 87 provides that the criminal driving offenses which result in death or serious physical injury – the most serious offenses one can commit while driving short of intentional murder – will be treated as violent crimes for parole purposes. As the law currently stands, defendants serving sentences for these offenses can be considered for parole after having served only one-quarter of their sentence.

The violent, life-ending and life-altering consequences of this conduct should not be treated more leniently simply because perpetrators use a car instead of a knife or a gun, and it is absurd that they are treated more leniently than offenses like burglary of a storehouse, which is violent only in the most abstract sense. Senate Bill 87 would require individuals to serve half of their sentence for these crimes before they can be considered for release on parole, an outcome that fits the severity of this conduct.

These offenses, by definition, permanently alter the lives of victims. Mr. Chair and Vice Chair, I respectfully urge the Senate Judicial Proceedings Committee for a favorable report on Senate Bill 87. Thank you for your kind attention and consideration.