

# Maryland Criminal Defense Attorney's Association



## MD House of Delegates -Judiciary Committee

March 5, 2020 12 pm

### Hearing on HB 1338

#### Felony Murder – Limitation and Review for Children

## MCDAA POSITION: SUPPORT

**Brief bill explanation:** This bill prohibits an individual younger than age 18 from being convicted of first-degree murder under the felony murder provision under State law. The bill authorizes a person convicted of first-degree murder under the felony murder provision who was a child at the time of the offense to apply for a review of the person's conviction under specified circumstances.

MCDAA position: The Maryland Criminal Defense Attorneys' Association is supportive of efforts to modify and eliminate the Maryland's outdated felony murder statute. Our current efforts are focused on changes as envisioned by Senator Benson's 2020 Senate Bill 951, which will eliminate first degree felony murder from the Code. MCDAA believes that HB 1338 takes an important step toward this goal by making the first-degree felony murder not applicable to those under 18, and allows for a court review of sentences for defendants, currently incarcerated, that were convicted under the felony murder statute for crimes they committed when they were under 18. MCDAA believes this will be an effective step toward an eventual full elimination of the first-degree felony murder statute.

For additional information or questions regarding this legislation, please contact MCDAA legislative chair: Andrew Jezic, 301.742.7470 [avjezic@aol.com](mailto:avjezic@aol.com) or our Government Relations Contacts: Alan Drew 240.856.2607 [da4617@gmail.com](mailto:da4617@gmail.com) and John Giannetti 410.300.6393, [JohnGiannetti.mcdaa@gmail.com](mailto:JohnGiannetti.mcdaa@gmail.com)