



**Written Testimony in Support of SB20**

Senator William C. Smith, Jr.  
Chair, Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis, MD 21401

Re: SUPPORT FOR SB20 WITH AMENDMENT ADDING § 17-204 TO THE ENUMERATED  
SUSPENSIONS UNDER TR § 16-303(H)

Dear Chairman Smith and Committee Members:

I have worked as a prosecutor in Baltimore City for approximately two years. As part of my duties I have prosecuted over a thousand traffic cases at the Hargrove District Court in Southern Baltimore City. Invariably the plurality of charges on every docket were for driving on a suspended privilege, Transportation Code Section 16-303(c). Individuals charged with a 16-303(c) violation face up to one year in prison, a \$1,000 fine, and 12 points on their driving record. It is a serious charge. Most of these 16-303(c) cases were based on suspensions due to poor or dangerous driving.

But at least one case every docket charged a person for driving on a suspended privilege under 16-303(c) where the suspension was due to a failure to pay a civil judgment. Every time this person would be shocked and afraid when I alerted them to the possible penalty they faced. They would explain to me how they had been in an accident years ago and have been unable to pay off the hundreds or thousands of dollars that they owed. But they also explained that they were trying. That they were going to their job every day to pay off that debt. And that was what they had been doing when they were ticketed. One gentleman in his 50s told me, and his paperwork confirmed, that he had been paying off a \$10,000 civil judgment for over 10 years. But while paying that debt he had been ticketed multiple times for 16-303(c), incurring thousands of dollars' worth of court fines and spending days in jail. With no other viable options, he continued to drive to work in order to pay off the civil judgment. Unfortunately, due to the court fines, he still owed approximately \$10,000.

Penalizing these individuals with a possible year in prison, a \$1,000 fine, and 12 points, does not further the goals of criminal sentencing. It does not make our communities safer. These individuals are not unsafe drivers. Unsafe drivers are covered by other categories of suspensions such as accumulation of points. It does not deter individuals. Many are unaware of the penalty, and if they are aware, they feel that they have to drive to pay off the civil judgment. It does not rehabilitate people. Indeed, whether these are individuals who even need to be rehabilitated is doubtful. All the current penalties do for those suspended because of civil judgments is push them further into debt and poverty. It pushes people to lose jobs, homes, and the ability to do the very thing that we want them to do, pay the civil judgments. Enacting SB20 would change the penalty for these individuals to a possible \$300 fine and 3 points on their driving record. SB20 would still incentivize repayment of civil judgments, but it would do so without penalizing individuals to the point where repayment is

practically impossible. The current law is an anachronistic penalization of poverty. Maryland has led the way in rehabilitating irrationalities and inequities in our criminal justice system. This bill is another step in the right direction.

As a person who is on the ground and has witnessed hundreds of people charged with driving on a suspended privilege because of a civil judgment, I urge you to support SB20. Thank you very much for your time and consideration.

Respectfully submitted,

Mack Abbeduto  
Assistant State's Attorney  
Office of the State's Attorney for Baltimore City