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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

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**Senate Judicial Proceedings Committee**

**SB 17 Criminal Law – Life-Threatening Injury Involving a Motor Vehicle or Vessel-Criminal Negligence (Wade’s Law) Statement of Support by Bill Sponsor Senator Mary Beth Carozza**

Chairman Smith, Vice Chair Waldstreicher, and members of the distinguished Senate Judicial Proceedings Committee, I come before you again this session to urge you to give favorable consideration to Senate Bill 17, Wade’s Law, which simply provides a more just penalty to those convicted of criminally negligent driving causing life-threatening injuries by a vehicle or vessel.

We have real victims and compelling reasons to pass this legislation this session with no delay. The story of Wade’s Law starts on February 22, 2016, when a *criminally* negligent driver struck two Worcester County road workers, Wade Pusey and Scott Tatterson, while they simply were doing their job along the highway. The violent crash killed Mr. Tatterson and Wade was flown to Maryland Shock Trauma with several life-threatening injuries, some of which he continues to live with today. Wade’s story was brought to my attention by the Worcester County State’s Attorney’s office after it became clear that the only offense that the driver could be charged with after causing a life-threatening injury, due to his criminal actions, was a motor vehicle citation carrying a maximum penalty of \$500. That is an unjust penalty.

Current law provides that manslaughter by vehicle by criminally negligent driving is a misdemeanor and subject to a maximum three-year imprisonment and/or a \$5,000 fine. Yet if the victim is maimed, paralyzed, or suffers some other life-threatening injury, that same criminally negligent driver is only liable for a \$500 fine. SB 17 provides a just penalty by allowing a person who is guilty of criminally negligent driving causing a life-threatening injury to be imprisoned up to 18 months or be fined \$5,000 or both.

In 2017, as a Delegate, I first introduced Wade’s Law as HB 585, and it passed the House by a 140-0 unanimous vote but did not receive a committee vote in the Senate Judicial Proceedings Committee. In 2019, my first session in the Senate, I reintroduced Wade’s Law and it passed the Senate 46-0 but did not clear the House.

In the meantime, the sense of urgency to pass this legislation has been heightened by the devastating, horrific and extremely painful crash that Je’Ani Lyles lived through on June 18, 2018 in Harford County caused by a criminally negligent driver. You will hear from Je’Ani’s mother, Carla Ortiz, who will describe not only the horror of the crash with Je’Ani suffering a severing of her T8 vertebrae, multiple surgeries, and paralysis from the chest down but will plead for a more just penalty to hold those who are criminally negligent responsible for their actions.

Let this be the year that we see Wade's Law all the way through to final passage. Let's no longer be in the position that a victim or a victim's family has to be told that had they or their loved one killed in a crash by a criminally negligent defendant that the at-fault driver would face jail time and a significant fine, but if the victim somehow survives life-threatening injuries or is maimed or paralyzed, then that same criminally negligent driver only faces points on their driver's license and a small fine and does not even have to appear in court! That simply is unjust and should not stand any longer.

My parents always taught me that if you believe in a just cause or action, then you keep working it, not for yourself, but for people like Wade Pusey and his family, Je'Ani Lyles and her mother, Carla, and for all the unnamed victims and future victims. You keep fighting the good fight. I respectfully request a favorable report of SB 17 which would allow for a more just penalty on those found guilty of criminally negligent driving causing life-threatening injuries and would provide some peace of mind for past and future victims.

Thank you for your kind consideration.