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Executive Nominations Committee

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

**January 31, 2024**

**The Senate Judicial Proceedings Committee**  
**SB 68 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 Smith, Vice Chair Waldstreicher, and members of the distinguished Senate Judicial Proceedings Committee for this opportunity to present Senate Bill 68 – 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 which would require that a person charged with reckless or negligent driving which contributed to the death of another must appear in court.

Most of you have heard this bill before. Last year, with the unanimous support of this Committee, it unanimously passed the Senate. It was heard in the House, but did not make final passage in the closing days of session.

Under current law, if someone is charged with reckless or 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. I have included a list of traffic violations that already require a must appear violation for your convenience.

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 to face the loved ones left behind.

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.

I want to publicly recognize and thank the members of ABATE of Maryland who have worked so hard on behalf of the families of the victims of negligent driving. ABATE is an all-volunteer organization that represents the rights of Maryland motorcyclists and advocates for training to reduce accidents and injury, work to end discriminatory legislation, and engage in efforts that support the safety, freedom, and affordability of motorcycling. Recently, members of ABATE have been assisting the family of a victim of a fatal accident that occurred in Charles County this past April.

On average, there are 517 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 a revision from last year based on discussions in the House. For good cause, the judge may waive the requirement to appear in Court. This is to allow the Court, for good cause, some discretion should the two parties meeting not be in the best interest of the victim's family.

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 Senate Judicial Proceedings Committee Members for a favorable report on Senate Bill 68. Thank you for your kind attention and consideration.