

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq., Staff
410-260-1523
RE: House Bill 1245
Criminal Law – Distribution of Heroin or Fentanyl Causing Serious Bodily
Injury or Death (Victoria and Scottie's Law)
DATE: February 28, 2024
(3/5)
POSITION: Oppose

The Maryland Judiciary has no position on the policy aims of this legislation and only opposes the provision on page 2, lines 30 through 32, which requires that a sentence imposed shall be consecutive. The Judiciary traditionally opposes legislation that includes mandatory provisions as they intrude on judicial discretion. The Judiciary believes it is important for judges to weigh the unique facts and circumstances for each individual case when imposing a sentence. Mandatory provisions prevent the judge from considering those unique factors. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual defendant and the crime.

cc. Hon. Chris Tomlinson
Judicial Council
Legislative Committee
Kelley O'Connor