

HB0361 - Reckless and Negligent Driving - Death of Another - Must-Appear Violation
(Sherry and Christian's Law)

Testimony of Melissa Moloney
Harford County State's Attorney's Office

On February 28, 2024, the case of State of Maryland v. Elijah John Palm, 5CR0MBG et al, appeared in the Harford County District Court. The citations were Speeding, Failure to Control Speed to Avoid a Collision, Failure to Stop at Sign/Pavement Mark, and Negligent Driving. Because these citations are payable only, they were scheduled on the "routine traffic" docket. Unfortunately, Mr. Palm's driving caused the death of another. Despite the seriousness of the event, no one from the State's Attorney's Office was notified nor present. Assistant State's Attorneys do not appear for the "routine traffic" docket. Additionally, the case was not prepared by our office and, thus, the civilian witnesses necessary for successful prosecution were not summonsed. Had the negligent driving citation been a must appear citation, the case would have immediately defaulted to the "serious traffic" docket and my office would have been notified. Thereafter, we would have reached out to the Victim's family, summonsed witnesses, and been present to treat the matter with the dignity and respect deserved whenever a life is taken. There is absolutely no scenario that I could imagine where an individual's speeding that results in the death of another would not also garner a negligent driving citation. I can think of nothing more "serious" than a person's life being prematurely extinguished. By passing SB 44, the family of the deceased gets closure without placing any extra punishments or punitive measures on the defendant. Additionally, appearance in Court allows the defendant to truly face the impact of their poor driving and serves the public interest of deterrence.