

Bill: HB1423
Position: In Favor
Witness: Steven T. Gravatt
Organization: None
Hearing Date: 3/6/2025

My name is Steven Gravatt and I am here to provide a juror's perspective on the felony murder rule. My testimony is relevant to HB1423 because examining the disproportionate impact of the felony murder rule on non-White Marylanders is one of the items that the Commission created under this bill will be tasked with.

I was Alternate Juror #1 for a trial where the defendant was charged with Armed Robbery and Felony Murder in the First Degree. The defendant participated in a robbery where his accomplice accidentally killed the victim with a box cutter.

As a juror, I was torn between competing duties. On the one hand I wanted to do the right thing, and condemning a non-murderer to Murder One did not seem right. On the other hand I wanted to do my civic duty and apply the laws of the state as best I understood them. Since I had no reasonable doubt that the defendant had participated in a premeditated robbery or that the robbery had resulted in a death, that meant finding him guilty of First-Degree Murder. Whatever choice I made, I was going to feel bad about it. Fortunately for me, all of the "real" jurors made it to the end of the trial so I did not have to participate in rendering a verdict.

I later learned the jury found the defendant guilty of Armed Robbery but innocent of First-Degree Murder. There are two possible explanations for this illogical finding. The first is that the jury simply did not understand the law—after all, it is counterintuitive that the state would expect you to find a non-murderer guilty of murder. The other possible explanation is that the jurors willfully chose to disregard the law because they found it unjust.

The crux of my testimony is that the State of Maryland should not be asking its citizen jurors to enforce a law that is either (i) so illogical we are liable to misunderstand it or (ii) so contrary to our sense of justice that we choose to disregard it.

The felony murder rule places an undue burden on jurors to condemn people who have not murdered anyone to a lifetime in prison. Beyond this, if non-Whites are disproportionately tried for or convicted of felony murder, it places the further burden of asking jurors to be instruments in meting out racially biased standards of justice.

Please recommend passage of HB 1423 to examine if and how the felony murder rule and other criminal justice practices create unjust outcomes for non-White Marylanders, and burdens jurors with complicity in the injustice.