

Letter in Support SB 640.pdf

Uploaded by: Laura Wilt

Position: FAV



Maryland Crime Victims' Resource Center, Inc.

Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

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LETTER IN SUPPORT OF SENATE BILL 640

February 13, 2026

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Western Maryland

59 Prospect Square
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On behalf of the Maryland Crime Victims' Resource Center (MCVRC), I am writing to express our strong support for Senate Bill 640. MCVRC provides legal services for crime victims throughout Maryland and is the largest nonprofit of its kind in the country. We write on behalf of our clients who have suffered the loss of a family member.

SB 640 would prohibit the presentence release of individuals convicted of a crime of violence or criminal neglect when the victim is a child. I write on behalf of the hundreds of families whose loved ones are taken by violence each year in Maryland. Our attorneys hear firsthand the fear and anguish that families experience when the accused is allowed to return to the community before trial, and this is exponentially worse if the defendant remains in the community even after a finding of guilt.

When a loved one is killed, the harm does not end with the crime itself. When the person who killed their loved one is released on bond, the victims' families lose all sense of safety and protection. They live in constant fear of seeing this person at the grocery store, or near their workplace or children's schools. This fear is not abstract—it is real and justified.

Allowing release in these circumstances sends a devastating message to victims' families: that their safety, stability, and peace of mind are secondary to the convenience of the person charged with a deadly crime. The families conclude that the criminal justice system is biased, doesn't recognize the harm that the defendant has caused, and system is not capable or willing to keep them safe. The emotional toll is profound—grief, anxiety, sleeplessness, and a loss of faith in the justice system.

Allowing release after conviction erodes the entire community's faith in the justice system. Learning that a judge would take such action is confusing at best and inciting lawlessness at worst.

Judicial discretion is important, but there are some lines that should never be crossed, and it is the job of the legislature to put such guardrails in place to ensure that justice across the state has some uniform boundaries. This Bill simply requires that when a judge or jury finds a suspect guilty in the death of a child resulting from a crime of violence and/or neglect, the court must act to detain prior to sentencing. Judges take an oath which includes that they will do their job "diligently and faithfully, without partiality or prejudice." This means that judges must follow the mandate in Article 47 of the Maryland Constitution which requires that victims be treated with dignity, respect and sensitivity in every stage of the criminal justice process. MCVRC believes that this means detaining defendants convicted of killing a child.

MCVRC employs more than twenty attorneys whose collective decades of experience span this state and beyond. In all that time, not one recalls a judge ever releasing a defendant before sentencing after conviction for killing a child—except for a single case out of Washington County. This overwhelming consensus reveals such a ruling as a profound outlier, repugnant to the common sense and dignity of our great State.

Your decisions as lawmakers have the power to ensure that an aberrant ruling like this will never occur again. Such legislation recognizes due process while also acknowledging the vulnerability of those left behind.

On behalf of all those who must endure the criminal justice system while still processing a permanent loss of their loved one and lingering fear, MCVRC respectfully urges you to give a favorable report to SB 640. Thank you for your consideration of the Bill and your broader commitment to protecting Marylanders.

Sincerely,



Laura Corbett Wilt, Senior Supervising Attorney
240-335-4004; lwilt@mdcrimevictims.org

Joined by: Joanna Mupanduki, Deputy Director & Kurt Wolfgang, Executive Director

SB 640 Testimony.pdf

Uploaded by: Paul Corderman

Position: FAV

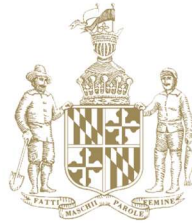
PAUL D. CORDERMAN
Legislative District 2
Frederick and Washington Counties

Budget and Taxation Committee

Subcommittees

Capital Budget

Education, Business and Administration



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 17, 2026

Senate Judicial Proceedings
Chair William C. Smith, Jr.
Vice Chair Jeff Waldstreicher
2 East Miller Senate Office Building
Annapolis, MD 21401

Testimony In Support of SB 640 - Criminal Procedure - Postconviction Release - Crimes Resulting in Death of Young Victim

Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

Thank you for the opportunity to present SB 640. SB 640 prohibits a court from releasing a defendant after conviction, pending sentencing or appeal, if the defendant was convicted of a crime of violence or child neglect that resulted in the death of a child under the age of 14. In the most serious and tragic cases, where a young child has lost their life, this measure ensures that a convicted individual remains in custody during the postconviction process.

This legislation strengthens public safety and reinforces the seriousness of crimes involving the death of a child. By setting a clear standard for postconviction release in these limited and severe circumstances, Senate Bill 640 provides certainty for victims' families.

Thank you for your consideration of this bill, and we respectfully request a favorable report on SB 640.

Sincerely,

A handwritten signature in black ink, appearing to read "P. D. Corderman".

Senator Paul D. Corderman – District 2, Washington & Frederick Counties

SB640 Testimony - Cirincion.pdf

Uploaded by: Paul Corderman

Position: FAV



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STATE'S ATTORNEY FOR WASHINGTON COUNTY

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February 17, 2026

Senate Judicial Proceedings
Chair William C. Smith, Jr.
Vice Chair Jeff Waldstreicher
2 East Miller Senate Office Building
Annapolis, Maryland 21401

**TESTIMONY IN SUPPORT OF SB640-CRIMINAL PROCEDURE-POST CONVICTION RELEASE-
CRIMES RESULTING IN DEATH OF YOUNG VICTIM**

Chair Smith, Vice Chair Waldstreicher and Members of the Judicial Proceedings Committee:

I am writing this letter to show my support for SB640, which would eliminate the pre-sentence release of individuals convicted of crimes resulting in the death of a victim under 14 years of age.

I have direct experience with the pre-sentence release of a mother who was convicted of First Degree Child Abuse Resulting in Death, which carries a possible life sentence. She very predictably absconded from the jurisdiction and has yet to serve a single day of her sentence.

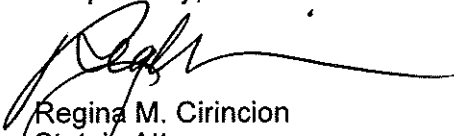
On August 8, 2025, Ashley Franklin was convicted of the death of her nine month old daughter, Bella, by starvation. She was also convicted of associated charges but only the conviction for First Degree Child Abuse Resulting in Death carries a possible life sentence. Upon her conviction, by a jury, the presiding judge offered her a bond review hearing. He subsequently released her on a nominal bond which was paid the following day. The defendant failed to appear for her sentencing hearing for which she was served. The court sentenced her *in absentia* to 90 years on the top count, and gave her credit for time served. Some of that time was spent in the State of Georgia where she was arrested for failure to appear for a previous court date. She fought extradition and was eventually brought back to Maryland after a Governor's Warrant was secured for her return.

Maryland Rule 4-349 governs release after conviction. It states that the trial judge may release the defendant pending sentencing subject to appropriate terms and conditions of release. The court may consider the factors set forth in Rule 4-216.1 in determining whether the defendant should be released. Those factors include, but are not limited to, the defendant's prior record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings, and the danger of the defendant to an alleged victim, another person or the community. Rule 4-216.1 does include a provision that prohibits pre-trial release under those two circumstances- public safety risk and flight risk. SB 640 would prohibit a release pre-sentencing. A defendant facing a lengthy sentence has no incentive to appear at sentencing. The trial judge, ignoring her previous failure to appear, handed Ashley Franklin the keys to the jail. She may never serve a day of the sentence she so rightfully deserves. Someone else could be harmed by her, either another child or a police officer attempting to take her into custody. This bill would take the discretion away from the trial judge so a serious miscarriage of justice, as this was, can never happen again.

Children are some of the most vulnerable people in our population, and some of the most vulnerable victims. To allow Ashley Franklin to escape from her sentence is to ignore the agonizing death of a child. We need to ensure that our laws reflect that children matter.

I respectfully request that SB640 receive a favorable report. Thank you very much for your consideration.

Respectfully,



Regina M. Cirincion
State's Attorney
Washington County, Maryland
rcirincion@washco-md.net

Justices SAKE Richard Myers.pdf

Uploaded by: Richard (Nink) Myers

Position: FAV



Justice's S.A.K.E.
SUPPORTING ALL KIDS ENDLESSLY

Dear members of the Senate Judicial Committee, thank you for the opportunity to testify. My name is Richard Myers, and I am here on behalf of Justice's SAKE today in strong support of this bill addressing post-conviction release for individuals whose crimes resulted in the death of a young victim.

When a child is taken by violent crime, the loss is permanent. There is no second chance for that young life. Yet for many families, the justice they believed was final is reopened again and again through repeated post-conviction petitions and requests for release. Each of these proceedings forces families to relive the worst moment of their lives. It retraumatizes them, destabilizes their healing, and leaves them fearing that the justice they were promised could be undone.

This bill recognizes a fundamental truth: **when the victim is a child, the harm is irreversible, and our laws must reflect the weight of that loss.** By limiting post-conviction release opportunities in these specific and devastating cases, this legislation helps protect families from ongoing trauma and preserves the integrity of the original sentence.

Importantly, this bill does *not* take away anyone's constitutional rights. Defendants already receive full due process, full appeals, and full access to required post-conviction procedures. What this bill does is ensure finality in cases where a young life was ended and the consequences of that crime cannot be undone.

Passing this bill would affirm that Maryland's justice system values the safety of our children, supports victims' families, and stands by the sentences imposed for the most serious and irreversible crimes.

I respectfully urge the Committee to support this legislation House Bill SB0640 and help ensure that no family who has lost a child to violent crime must continually relive their trauma through repeated release hearings.



sb640.pdf

Uploaded by: Will Vormelker

Position: UNF

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

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 640
Criminal Procedure – Postconviction Release – Crimes Resulting
in Death of Young Victim
DATE: February 11, 2026
(2/17)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 640 only to the extent it takes away judicial discretion.

By prohibiting the courts from releasing a defendant after conviction pending sentencing or exhaustion of appeals, the bill infringes on the courts' discretion. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when making a determination. Provisions that place restrictions on the judge prevent the judge from considering factors unique to the case.

cc. Hon. Paul Corderman
Judicial Council
Legislative Committee
Kelley O'Connor