

**From:** Danny Varat <DannyVarat@scstatehouse.gov>  
**To:** Catherine McNicoll <CatherineMcNicoll@scstatehouse.gov>  
**Date:** 5/18/2017 5:03:33 PM  
**Subject:** Re: Senator Martin

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You know, you're right. This seems pretty clear cut.

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**From:** Catherine McNicoll  
**Sent:** Thursday, May 18, 2017 4:41 PM  
**To:** Danny Varat  
**Subject:** RE: Senator Martin

As far as I know, what she is describing is called murder and has nothing to do with whether he called 911, it has to do with strangling her. Also if someone creates a dangerous situation and does nothing to help it could easily be considered involuntary manslaughter. I would need to better understand what she wants to answer this question.

*Best Regards,*  
*Catherine McNicoll*  
*Director of Legal & Legislative Affairs*  
*Lieutenant Governor's Office*  
[CatherineMcNicoll@SCStatehouse.gov](mailto:CatherineMcNicoll@SCStatehouse.gov)  
803-734-5292 (phone)

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**From:** Danny Varat  
**Sent:** Thursday, May 18, 2017 4:02 PM  
**To:** Catherine McNicoll  
**Subject:** Senator Martin

Senator Martin forwarded me this correspondence from a constituent. Is there something in the law that already covers this scenario, or would it take a bill?

This is not the one I was talking about - mine was he strangled my daughter and left her - could have called 911 but chose to walk out and leave her - it would be more of an obligation to help a person in trouble.  
Thank you  
Brenda Eason

On Thursday, May 18, 2017, Sen. Shane Martin <[shane@senatormartin.com](mailto:shane@senatormartin.com)> wrote:

It is S.83. I will keep you informed.

#### **A BILL**

TO AMEND SECTION [16-3-60](#) OF THE 1976 CODE, RELATING TO INVOLUNTARY MANSLAUGHTER, TO INCLUDE WITHIN THE DEFINITION OF INVOLUNTARY MANSLAUGHTER THE SALE OR DELIVERY OF CONTROLLED SUBSTANCES, THEIR ANALOGUES, OR OTHER UNLAWFUL SUBSTANCES THAT CAUSE THE DEATH OF THE USER WHEN INGESTED, AND TO PROVIDE THAT A PERSON CONVICTED OF INVOLUNTARY MANSLAUGHTER MUST BE IMPRISONED NOT MORE THAN FIFTEEN YEARS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section [16-3-60](#) of the 1976 Code is amended to read:

"Section [16-3-60](#). With regard to the crime of involuntary manslaughter, criminal negligence is defined as the reckless disregard of the safety of others. A person charged with the crime of

involuntary manslaughter may be convicted only upon a showing of criminal negligence as defined in this section. A person convicted of involuntary manslaughter must be imprisoned not more than five years. Involuntary manslaughter is the death of a person caused by the criminal negligence of another, or the reckless disregard of the safety of others, which may include the unlawful sale or delivery of a controlled substance, controlled substance analogue, or other unlawful substance when the ingestion of such substance caused the death of the user. A person convicted of involuntary manslaughter must be imprisoned not more than five years."

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

***Shane Martin***

SC State Senator - District 13  
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**From:** Brenda Bob [<mailto:mrs.redontherun@gmail.com>]

**Sent:** Monday, May 15, 2017 1:19 PM

**To:** Sen. Shane Martin <[shane@senatormartin.com](mailto:shane@senatormartin.com)>

**Subject:** Re: New submission from Contact Shane

Senator Martin,

Thank you so much. What is it called? I would love to hear when it makes it.

Thank you again.

Brenda Eason

On Mon, May 15, 2017 at 10:37 AM, Sen. Shane Martin <[shane@senatormartin.com](mailto:shane@senatormartin.com)> wrote:

Dear Brenda,

Legislation was filed this year (and made it out of committee and onto the Senate calendar) to specifically criminalize that type of situation. I believe it will move through the Senate next year, and I will support it.

Thanks,

Shane

***Shane Martin***

SC State Senator - District 13  
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Your Message
Senator Martin,  I called you back in December about my daughter's death and about a law that would make it criminal to leave someone in trouble - Do you know if anything has been done about this?  Thank You, Brenda