



Daniel Dewitt Hall

Candidate, Judge of Circuit Court, Sixteenth Judicial Circuit, Seat 2

Response to Affidavit of Daisy Darlene Neal and Eddie D. Neal

This was a guilty plea to Felony Driving Under the Influence with Great Bodily Injury. The potential sentence for this charge is a mandatory minimum of 30 days up to 15 years of incarceration with a mandatory minimum fine of \$5,100. No part of the sentence can be suspended for probation and the 30 day sentence is mandatory.

Defendant, Janelle Christine Littlejohn, was 27 years old, 8 months pregnant at the time of her plea on October 5, 2018. She was married with a 7 year old child at the time of her plea. She had no criminal record and was out on bond since the time of her arrest on February 18, 2018. I listened to the victim, victim's mom and defendant's mitigation. Because of the upcoming birth of her child, I deferred sentencing until January 24, 2019.

Defendant and victims were present for sentencing on January 24, 2019. The State recommended a cap of 6 years based on the injuries to the victim and the need to send a message to society concerning drinking and driving. The Defense asked for house arrest because of the now 3 month old nursing child and other mitigation. I sentenced the Defendant to 2 years house arrest and other conditions.

The State filed a Motion to Reconsider because York County has not put in place the necessary procedure to sentence an individual to house arrest under the Home Detention Act. The State was correct and house arrest for this crime in York County was not a legal option for the court to impose. The Defendant was sentenced to a legal sentence allowed by our legislature. The sentence was for 30 days to be served at the York County Prison Farm in 4 hour increments without interruption until the 30 day sentence was satisfied and payment of the mandatory fine of \$5,100. The court took into consideration the fact that she had no prior record, was nursing a 3 month old child and other mitigation presented by the defendant's family. The Solicitor and victim were not happy with the court's sentencing discretion in this case.

Daniel Dewitt Hall

Candidate, Judge Sixteenth Circuit, Seat 2

November 3, 2021