

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

IN THE COURT OF GENERAL SESSIONS  
FOR THE NINTH JUDICIAL CIRCUIT

Warrant No(s): 2023A1010202542-44, 47

State of South Carolina

Charge(s): Felony DUI Resulting in Death; Felony  
DUI Resulting in Great Bodily Injury (3  
counts)

vs.

**MOTION FOR BOND**

JAMIE LEE KOMOROSKI

Defendant

Jamie Lee Komoroski is a 25-year-old daughter, sister, and college graduate, who has strong familial support, routinely cares for children, and has no history of violent behavior. The tragic events of April 28, 2023 are decidedly heart-wrenching but do not alter the factors the Court must consider in evaluating the appropriateness of bond for an individual who poses no future danger to the community or risk of flight. As set forth below, the personal characteristics of Jamie Lee Komoroski, coupled with her strong family support and ties to the community, heavily counsel in favor of her release from custody. Accordingly, Ms. Komoroski respectfully requests that this Court consider her personal characteristics and the absence of any threat to the community or risk of flight in setting bond in this matter.

**Facts Alleged by the State and/or in the Public Domain**

The State has charged Ms. Komoroski with one count of felony DUI resulting in death, and three counts of felony DUI resulting in great bodily injury, based on events occurring on or about April 28, 2023 at or around the 1200 block of E. Ashley Avenue in Folly Beach, South Carolina. The Affidavit sworn out by the Folly Beach Deputy Police Chief described the offense as “reckless

vehicular homicide.” It is further alleged that Ms. Komoroski was driving under the influence; a toxicology report dated May 5, 2023 avers the blood alcohol level for Ms. Komoroski was .261. Undersigned counsel is not yet in a position to evaluate the propriety of the procedures and investigative steps employed by law enforcement as the State has not yet provided discovery to the defense.<sup>1</sup> At this preliminary stage of the proceedings, however, it is important to note that it is *not* alleged that Ms. Komoroski engaged in any behavior colloquially characterized as “road rage” leading up to these events or was motivated by any malicious or premeditated desire to cause any harm to any other human being. There are no allegations that Ms. Komoroski purposefully targeted the individuals in the golf cart or had any interactions with any of them prior to the tragic events in question. On April 29, 2023 Ms. Komoroski was summarily denied bond prior to the involvement of counsel. Undersigned counsel filed appearances and our discovery motion on May 5, 2023.

This case has understandably garnered significant media attention. Certain media reports paint a picture of the accused as an unrepentant villain who ostensibly had a history of partying behavior, extrapolated from handpicked photographs posted to social media accounts appearing to depict the accused attending a Halloween party or socializing with friends while in college. As this Court is aware, such characterizations of the accused serve only to inflame public sentiment and remain irrelevant to the determination as to whether Ms. Komoroski poses a flight risk or any danger to the community. We respectfully urge the Court to focus on the pertinent factors set forth below in determining the appropriateness of bond in this matter.

---

<sup>1</sup> To date, the defense has received limited information in response to Freedom of Information Act requests submitted to the Folly Beach Police Department but has not received any discovery from the State.

### **The Facts about Jamie Lee Komoroski<sup>2</sup>**

The circumstances surrounding these charges are heartbreaking and deeply upsetting, and understandably have evoked emotional outcries for justice. The loss of life is nothing short of a tragedy, and Ms. Komoroski is cognizant of the utter devastation that engulfs this matter. These palpable emotions and the factors warranting release on bond are not mutually exclusive, however. In other words, the tragedy surrounding these allegations does not automatically make Jamie Lee Komoroski a flight risk or a danger to her community going forward. Importantly, Jamie Lee Komoroski has never been convicted of any crime,<sup>3</sup> has never been accused of perpetrating violence against anyone, has never been disciplined for even a school-related behavioral infraction, and has led a law-abiding life throughout her twenty-five years. The State has not alleged, and indeed cannot allege, that Jamie ever engaged in any violent behavior in the past.

To the contrary, Jamie's past has been marked by a consistent and uninterrupted history of nonviolence and good behavior. The daughter of Charles Komoroski, a project manager for a family-owned glass company based in Union County, New Jersey, and Traci Komoroski, a paraprofessional for an elementary school in Ocean County, New Jersey, Jamie grew up in New Jersey as the middle child, between her brother, now 24 years old, and her sister, now 30. Jamie has a tight-knit bond with her siblings and parents and they converse on a daily basis, even since Jamie has been incarcerated in this matter.

---

<sup>2</sup> Under S.C. Code Ann. § 17-15-30(A)(4), a court is to consider, among other things, the defendant's character in determining whether the defendant is a danger to the community.

<sup>3</sup> As the defense awaits the production of discovery, an independent search of criminal and/or traffic offenses for Jamie Lee Komoroski's history reveals two traffic infractions for speeding 10 mph or less over the speed limit in 2018 and 2019 resulting in fines only, and one traffic infraction for driving at a greater speed that is reasonable under conditions in 2018. There appears to be no disposition relating to a charge of purchase or possession of beer or wine by a minor on June 15, 2018.

Jamie graduated high school in New Jersey from North Hunterdon High School, where she took honors classes, was a four-year lacrosse player and balanced her studies and sports with employment as a waitress at a local diner. It was working at that diner that convinced Jamie to seek future employment in the restaurant and service industry; she was told she had a vibrant and positive personality that seemed well-suited to that industry.

Following high school, Jamie left New Jersey for the warmer climate of South Carolina, graduating from Coastal Carolina University in 2020, where she achieved the Dean's List as a marketing major. Jamie simultaneously obtained a minor in Hotel Resort Tourism Management (HRTM), which provided avenues into the restaurant and service industry upon her graduation. After graduating from Coastal Carolina, Jamie held several positions in the restaurant industry, trying like many other young college graduates to achieve employment stability and grow roots in the Charleston area, where she has made her home for the last few years.

Even in her early years growing up in New Jersey, Jamie consistently earned the unmitigated trust of adult family and friends, who often turned to Jamie to babysit their children. Babysitting would become a second passion for Jamie throughout high school, college and even after graduation. In high school, Jamie worked at a day care for children in Lebanon, New Jersey, and was responsible for caring for children as young as 2 ½ months to 4 years old, departing that job to attend college. As recently as this past year, moreover, families in the Charleston area have turned to Jamie to babysit their young children. Given the nature of her burgeoning career in the restaurant industry, Jamie was able to continue babysitting local children whose families placed their trust in Jamie. Also a self-described "animal lover," Jamie became the "go to" for friends and family to pet sit when they were at work or on vacation.

### **Commitment to Intense Rehabilitation Program Immediately Upon Release**

Jamie has struggled with alcohol dependence, depression, and anxiety. Since her college years, Jamie has turned to alcohol to cope with loneliness, stress, and often crippling levels of anxiety which was then untreated. In recent months, Jamie's anxiety has increased exponentially, and in the last year Jamie has sought treatment from medical professionals in the Charleston area for severe anxiety and depression. Jamie now suffers from facial tics brought on by mounting and unabated anxiety.

Importantly, Jamie, with the support of her family, is committed and prepared to engage in intense, inpatient substance abuse and mental health rehabilitation immediately upon her release. Jamie's family has identified several inpatient treatment facilities offering intense rehabilitation services both in South Carolina and in New Jersey.<sup>4</sup> Should the Court grant the instant motion for release, Jamie's family will secure a bed for Jamie in the geographic location of the Court's preference. Thus, if this Court is inclined to release Jamie, she can be transported directly to the treatment facility to begin her intense rehabilitation, which is not available to her in an incarceration setting. This intense level of inpatient rehabilitation is consistent with the rehabilitative goals of the criminal justice system and will help undergird any determination by the Court that Jamie poses no risk or danger to the community. Upon her release from the rehabilitation facility, Jamie's family is immediately prepared to offer for the Court's consideration a stable and nurturing environment, as more fully discussed below.

### **Stability Upon Release**

Jamie's parents and siblings surround her with much-needed love and support and remain

---

<sup>4</sup> As of the date of this filing, both the Sunrise House Treatment Center in New Jersey and the Charleston Recovery Center in South Carolina have indicated to Jamie's family that they are able to admit Jamie into their respective inpatient rehabilitative programs upon her release.

steadfast in their commitment to provide a stable environment for her should Your Honor choose to grant this motion for her release. As mentioned, Jamie's mother Traci is a para-professional working in an elementary school with special needs students in New Jersey. As such, Traci's work hours, while full-time, are those of an educator, enabling her to be home every day by mid-afternoon, during summers and on weekends. She currently lives in Ocean County, New Jersey, with her son and Jamie's brother. For his part, Jamie's brother, now 24 years old, has volunteered to assist his mother in supervising Jamie, should she be released, and can offer additional support to his sister throughout the day. Her father Charlie, while divorced from Traci, maintains an amicable and close relationship with his ex-wife, remains very close to his three children, and is a constant and reliable presence in their lives.

If Your Honor chooses to release Jamie, it is respectfully requested that she be permitted to live with her mother and brother in their single family home in Brick, New Jersey, under any and all standard and/or special conditions of release the Court deems appropriate and wishes to impose. While at first blush it may appear that releasing Jamie to her family in New Jersey is geographically remote, that geographical distance may prove beneficial for the families of all involved, so that Jamie is not in the vicinity of the crash site or in a position to come face to face with anyone involved. For these reasons, the geographic separation that New Jersey offers provides a multitude of benefits during the pendency of this matter. It also will not increase any risk of flight because the Court can impose special conditions to ensure constant oversight and necessary reporting. Of course, Jamie and her family will participate meaningfully in any and all court proceedings, including appearing in person whenever required at their expense and maintaining unfettered accessibility to pre-trial monitoring and to the Court.

Upon her release from the rehabilitation facility, moreover, Jamie seeks to immediately engage in meaningful employment, if afforded that opportunity and if consistent with the

conditions of release. She is trained in the food and service industry and has a background in caregiving. Her strong support system will endeavor to assist Jamie in securing stable work in the community if she is released and continuing with her rehabilitation.

In the alternative, however, should Your Honor not wish to release Jamie to a home in another state, her mother Traci has indicated that she is willing to take a leave of absence from her job as a para-professional and secure an apartment in the Charleston area, where she can similarly provide the requisite stability and oversight of Jamie during the pendency of these proceedings.<sup>5</sup>

### **ARGUMENT**

Jamie Lee Komoroski is not a danger to the community. She is not a flight risk. This Court may set bail conditions (including but not limited to consistent telephonic reporting, substance abuse and/or mental health treatment, and/or GPS monitoring) that can more than sufficiently assure her appearance in court and protect the public.

### **Relevant Law**

As this Court knows, the South Carolina Constitution allows the Court to set bail even in capital cases. *See generally State v. Hill*, 314 S.C. 330, 332, 444 S.E.2d 255, 256 (1994) (“[W]e hold that the Constitution gives a circuit court judge the discretion to grant bail to a capital defendant.”). The General Assembly has even gone so far as to mandate the setting of bail in non-capital cases like this one.<sup>6</sup>

---

<sup>5</sup> With the Court’s permission, Jamie’s immediate family members will be prepared to address the Court at the appropriate time during the hearing and answer any questions the Court may ask regarding the stability of the home environment.

<sup>6</sup> *Hill*, 314 S.C. at 332, 444 S.E.2d at 256, n. 2 (citing S.C. Code Ann § 17-15-10 through 260) (“It should be noted that although the Constitution indicates that bail for offenses punishable by life imprisonment may be treated differently, the statutes of this State regarding bail treat all non-capital offenses in the same manner.”)

Under S.C. Code Ann § 17-15-10(A), “[a] person charged with a noncapital offense . . . shall, at his [or her] appearance before any of such courts, be ordered released pending trial on his [or her] own recognizance without surety in an amount specified by the court. . . .” (Emphasis added). Only two exceptions to this requirement are set forth in the statute: “unless the court determines in its discretion that such a release will not reasonably assure the appearance of the person as required, or unreasonable danger will result.” *Id.* The burden of establishing these exceptions falls to the State. *See Hill*, 314 S.C. at 333-34, 444 S.E2d at 257.

This statutory scheme makes clear that bail is the rule and the refusal of it is the exception. The exception, however, is further narrowed by the added conditions a court may impose to secure a defendant’s appearance and protect the public. Should a court determine that a personal recognizance bond “will not” assure the defendant’s appearance in court or an “unreasonable” danger to the community “will result,” the Court must still release the defendant on bail but impose added conditions of bail which will secure the defendant’s appearance and protect the public.

These conditions are:

- (1) require the execution of an appearance bond in a specified amount with good and sufficient surety or sureties approved by the court;
- (2) place the person in the custody of a designated person or organization agreeing to supervise him;
- (3) place restrictions on the travel, association, or place of abode of the person during the period of release;
- (4) impose any other conditions deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

S.C. Code Ann. § 17-15-10(A)(1-4).

In short, South Carolina law is clear: a court must release a defendant charged with a non-capital offense, like Jamie, on bail.<sup>7</sup> The only questions the Court must answer are: (1) must the defendant be released on her own recognizance? (2) If not, what additional conditions of release must be imposed to ensure the defendant does not flee and does not present an unreasonable danger to the community?

Under what conditions should Jamie be released?

Upon release from jail, Jamie will neither pose a flight risk nor a danger to the community.

Below are just some of the reasons why:

- Jamie has no history of exhibiting any violent behavior and has never received any behavioral-related school disciplinary infractions.
- Jamie is committed to immediately treating her substance abuse dependence and mental health issues, consistent with the rehabilitative goals of the criminal justice system.
- Jamie has the unyielding support of her mother, her father, her sister, and her brother in helping to stabilize and support Jamie upon her release.
- Jamie has a history of caring for children, in large measure because of Jamie's trustworthiness, friendly character, and because children have always felt comfortable around Jamie.
- Jamie has no connections outside of the United States and will immediately relinquish her passport.
- Jamie has no prior criminal record, based upon the defense's independent background check.
- Jamie is welcome to live with her mother and brother under any conditions the Court imposes as prerequisites to bail, including electronic monitoring and/or telephonic reporting.
- There appear to be no allegations that Jamie has engaged in criminal activity beyond the charges alleged to have occurred on or about April 28, 2023.
- Jamie has a cadre of family, friends, and others who support her and her request for bail and can attest to her good character. *See* Letters of Support, to be provided to the Court via separate cover on or before the hearing date.

---

<sup>7</sup> The law also happens to comport with sound public policy given the scarcity of resources which continue to place a strain on the Sheriff's officers charged with overseeing and meeting the needs of incarcerated individuals. The Sheriff Al Cannon Detention Center, where Jamie is currently housed, has experienced significant and ongoing staffing shortages since in or before 2019 and, as such, should be devoting its scarce resources to housing individuals who pose an articulable and continuing threat to public safety. *See* <https://www.counton2.com/news/charleston-county-sheriffs-office-hiring-amid-staff-shortage/> and <https://abcnews4.com/news/local/charleston-co-detention-center-facing-serious-officer-shortage-needs-to-fill-90-jobs>.

As such, this Court and the community can adequately be assured that Jamie poses no danger and will appear at all court appearances, as directed. It is therefore respectfully requested that bail be set in the amount of \$100,000, with the added conditions that Jamie attend and successfully complete an inpatient rehabilitation program, following which she is to remain under supervision at her mother's home in Brick, New Jersey, with frequent telephonic reporting, and that she have no access to a vehicle or alcohol.

**CONCLUSION**

Jamie remains innocent until proven guilty. In light of her lack of criminal history, her strong familial support and her peaceable character, her commitment to her rehabilitative treatment and her mother's and brother's willingness to house and support Jamie while she is on release, and the multitude of conditions the Court can impose in its order for bail to further protect the public and ensure her appearance, Jamie asks that the Court order her release under the conditions set forth above.

Respectfully submitted,

/s/ Christopher J. Gramiccioni  
Christopher J. Gramiccioni  
Deborah L. Gramiccioni  
Kingston Coventry LLC  
Counsel for Defendant  
825 Lowcountry Blvd., Suite 106  
Mount Pleasant, SC 29464  
(843) 420-3004  
chris@kingstoncoventry.com  
deb@kingstoncoventry.com

/s/ Nathan S. Williams  
Nathan S. Williams  
Counsel for Defendant  
260 W. Coleman Blvd., Ste. B  
Mount Pleasant, SC 29464  
(843) 473-7000  
nathan@scfederaldefense.com

May 19, 2023