



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

January 31, 2025

BILL NUMBER: **Senate Bill 364**

SHORT TITLE: **Criminal Law - Manslaughter by Vehicle or Vessel - Increased Penalties (Jamari's Law)**

DEPARTMENT'S POSITION: **SUPPORT**

EXPLANATION OF DEPARTMENT'S POSITION

SB 364 enhances public safety by increasing the maximum periods of incarceration for those convicted of manslaughter by motor vehicle and/or vessel. By doubling the maximum period of incarceration, the bill promotes the threat of harsher penalties that can discourage individuals from engaging in reckless or negligent behavior that could lead to manslaughter. It serves as a reminder that there are serious consequences for actions that result in harm to others, especially when those actions are avoidable, like reckless driving or boating. Increasing penalties may help ensure that those who cause fatalities due to reckless behavior face consequences that reflect the severity of their actions. This can be seen as a way to hold individuals more accountable for the lives lost due to their negligence or disregard for safety.

Stronger penalties can encourage behavior change and repentance in offenders while also providing a sense of justice for the families of victims, especially if they feel that the existing penalties are too lenient for the loss of life caused by someone else's careless actions.

The notion is that harsher sentences might bring a sense of closure to those affected. Longer sentences might also provide an additional layer of protection for society by keeping individuals who have demonstrated reckless behavior off the roads or waterways for longer periods. This can reduce the likelihood of repeat offenses.

The introduction of stricter penalties acts as a deterrent to reckless actions, promoting safer driving / boating practices and reducing the likelihood of accidents.

BACKGROUND INFORMATION

The maximum incarceration penalties established in the bill are doubled than what is currently established. Currently, the maximum penalty for Manslaughter by vehicle or vessel (Gross negligence) is imprisonment not exceeding 10 years or a fine not exceeding \$5,000 or both (the bill proposes 20-year incarceration). For those that violate this section, having previously been convicted under this section, § 2-210, § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of this article, or § 21-902 of the Transportation Article, current law has a maximum penalty of imprisonment not exceeding 15 years or a fine not exceeding \$10,000 or both (bill proposes 30 year incarceration).

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BILL EXPLANATION

The bill increases the maximum periods of imprisonment for an individual convicted of manslaughter by vehicle or vessel. It also increases the maximum period of imprisonment penalties for those charged and having been previously convicted of homicide by vehicle/vessel while impaired by alcohol and/or drugs.