

JACK BAILEY  
Legislative District 29  
Calvert and St. Mary's Counties

Budget & Taxation Committee



THE SENATE OF MARYLAND  
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**Senate Bill 364 – Criminal Law – Manslaughter by Vehicle or Vessel – Increased Penalties (Jamari's Law)**

Dear Chair Smith and Members of the Committee:

I am writing to introduce Senate Bill 364. This legislation would raise the maximum penalties for causing the death of another as a result of the person's driving, operating, or controlling a vehicle or vessel in a grossly negligent manner under §2-209 of the Criminal Law Article.

Under current law, a first offense under §2-209 is a felony and carries a maximum penalty of 10 years, while a subsequent offense carries a maximum penalty of 15 years. Senate Bill 364 increases these penalties to 20 years for a first offense and 30 years for a subsequent offense.

This legislation is named Jamari's Law for Jamari Duckett, who was a resident of St. Mary's County. In 2022, Jamari was the victim of a car accident caused by a driver who was drunk and traveling at a high rate of speed. According to the investigation, immediately prior to the accident, the drunk driver was driving at speeds between 76 and 91 miles per hour on a road where the speed limit is 40 miles per hour. Jamari tragically died as a result of the injuries he sustained in this accident. He was 18 years old.

The St. Mary's County State's Attorney's Office successfully prosecuted the drunk driver in this case, who was sentenced to the maximum penalty of 10 years. As this is considered a non-violent offense, it is possible for this individual to serve about a quarter of their sentence in prison. This means that, when considering diminution credits and the possibility of parole, the offender could be released in as little as 2½ years. I believe that this is far too short a time for the crime of manslaughter by vehicle or vessel.

It is important to note that this bill does not impose any minimum sentences, it only gives our judges further discretion in their sentencing of those who are found guilty of violating this law. This Committee is well aware of the threat that drunk and negligent driving poses to our State's citizens. I believe this legislation will continue the work that we have done to combat drunk driving in Maryland.

This bill is identical to Senate Bill 26 from last year, which passed this Committee and the Senate unanimously. I respectfully request a favorable report on Senate Bill 364. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey", written over a horizontal line.

Senator Jack Bailey