

# **2025 SB00364 Testimony For 2025-01-31.pdf**

Uploaded by: Alan Lang

Position: FAV

## Testimony For SB0364

Honorable Senators

Please enter a favorable decision for SB0364.

For some really horrible crashes the maximum penalty was set too low. The maximum does not need to be imposed, but is there if warranted.

Please enter a favorable decision for SB0364.

Alan Lang  
45 Marys Mount Road  
Harwood, Maryland 20776  
Legislative District 30B  
410-336-9745  
[Alanlang1@verizon.net](mailto:Alanlang1@verizon.net)

January 31, 2025

# **SB 364 Maryland Testimony. 1-31-25 support.pdf**

Uploaded by: Bryna Clark-Braverman

Position: FAV



**IMPAIRED  
DRIVING  
ENDS HERE.**

**Bryna Clark-Braverman  
MADD Maryland Regional Executive Director  
Testimony in Support of Senate Bill 364  
Senate Judicial Proceedings Committee  
January 31, 2025**

Thank you, Mr. Chairman and members of the committee, for the opportunity to testify today in support of Senate Bill 364, also known as Jamari's Law, aimed at combating impaired driving. My name is Bryna Clark-Braverman, and I serve as the Regional Executive Director for the Maryland chapter of Mothers Against Drunk Driving (MADD).

MADD extends its gratitude to Senator Bailey for introducing this critical legislation. For those who haven't experienced the devastating impact of impaired driving firsthand, it may be shocking to learn that every 78 seconds, someone in the United States is killed or injured in a drunk driving crash. This statistic doesn't even account for crashes caused by other substances like cannabis or opioids.

The issue of impaired driving remains a significant and growing problem. According to the National Highway Traffic Safety Administration (NHTSA), 207 people lost their lives in drunk driving crashes in Maryland in 2022—a 24% increase from 2019, when 167 such fatalities occurred.

MADD strongly supports Jamari's Law because it provides courts with the discretion to impose longer sentences for impaired driving crashes that result in the death of an innocent victim. Importantly, this legislation does not create mandatory minimum sentences of any kind. Instead, it empowers the judiciary to deliver justice and bring closure to victims and their families by ensuring that the punishment reflects the severity of the crime.

Jamari's Law is a victim-driven initiative designed to address the profound impact of impaired driving fatalities on Maryland roadways. By passing this bill, the state can take a meaningful step toward holding offenders accountable and supporting victims' pursuit of justice.

Thank you, Mr. Chairman and members of the committee, for your time and attention.  
On behalf of Mothers Against Drunk Driving, I respectfully urge your support for Senate Bill 364.

# **SB0364\_DNR\_SUP\_JPR\_1-31-25.pdf**

Uploaded by: Dylan Behler

Position: FAV



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

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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**

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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**

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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).

Contact: Dylan Behler, Director, Legislative and Constituent Services  
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)

**BILL EXPLANATION**

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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.



# **SenatorBailey\_FAV\_SB364.pdf**

Uploaded by: Jack Bailey

Position: FAV

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

Budget & Taxation Committee



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

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January 31, 2025

**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

# **J. Sterling SB364 Favorable.pdf**

Uploaded by: Jaymi Sterling

Position: FAV

# OFFICE OF THE STATE'S ATTORNEY

JAYMI STERLING  
STATE'S ATTORNEY



41605 COURTHOUSE DRIVE  
P.O. Box 1755  
LEONARDTOWN, MD 20650

ST. MARY'S COUNTY, MARYLAND

January 29, 2025

The Honorable William C. Smith, Jr.  
Chairman, Senate Judicial Proceedings Committee  
11 Bladen Street  
Annapolis, Maryland 21401

Dear Chairman Smith and Members of the Judicial Proceedings Committee:

As the State's Attorney for St. Mary's County, I write in strong support of SB0364 - Criminal Law - Manslaughter by Vehicle or Vessel - Increased Penalties (Jamari's Law).

In 2022, Jamari Duckett, an 18-year-old recent high school graduate with aspirations of becoming a mechanical engineer, was tragically killed in St. Mary's County by a drunk driver traveling at speeds between 76- and 91-mph in a 40-mph zone. The driver was prosecuted and sentenced to ten years in prison, the maximum penalty allowable by law.

Because Maryland categorizes vehicular manslaughter as a *non-violent* offense, the Defendant is eligible for parole after serving just a quarter of his sentence, which is just ***two and a half years***. This outcome does not reflect the severity of the crime or the value of Jamari's life.

SB0364 seeks to correct this injustice by increasing the maximum penalty for manslaughter by vehicle from ten to twenty years and for repeat offenders, fifteen to thirty years. The increase in penalties provides prosecutors, the defense, and the Court the ability to achieve all of the goals of sentencing—deterrence, rehabilitation, and punishment—rather than having to choose just one.

While my office fights to secure justice for victims and their families, we are constrained by the limits of current sentencing laws. The passage of SB0364 will provide prosecutors with stronger tools to hold offenders accountable and send a message that the lives lost to these preventable tragedies are worth more than the inadequate penalties currently in place.

I have been a steadfast advocate for vehicular homicide victims and their families throughout my career, and I will continue to fight for stronger protections under the law. I strongly urge a favorable report on SB0364.

Respectfully,

Jaymi Sterling  
State's Attorney for St. Mary's County

# **John Duckett WRITTEN TESTIMONY.pdf**

Uploaded by: John Duckett

Position: FAV

John Duckett

JUSTICE FOR JAMARI

Testimony in Support of Senate Bill 0364 (Jamari's Law)

January 31, 2025

Written Testimony to the Maryland State Senate Judicial Proceedings Committee

Good morning, members of the committee. My name is John Duckett, and I write to you today as a grieving father. My son, Jamari Duckett, was taken from us far too soon. His life was tragically cut short by a drunk driver in July 2022.

I feel that the punishment did not fit the crime. The current law governing manslaughter by vehicle or vessel is very inadequate, with a maximum penalty of 10 years for a first conviction. It's a mere slap on the wrist for a crime that has left my family shattered.

That's why I implore you to support Senate Bill 0364, also known as Jamari's Law. This legislation proposes to increase the maximum period of imprisonment for a first conviction to 20 years and for a second or subsequent conviction, or having been previously convicted for certain other crimes, to 30 years.

This is not just a bill; it's a beacon of hope for families like mine who have been torn apart by DRUNK DRIVING. It's a declaration that we value human life, that we will not tolerate senseless tragedy, and that we will hold accountable those who put innocent lives at risk.

I know that no amount of time can bring back my son, but I BELIEVE that Jamari's Law will prevent others from suffering the same fate. It will send a strong message to would-be offenders that the consequences of their actions will be severe.

As I conclude, I want to leave you with a question: What is the value of a human life? Is it 10 years, 20 years, or 30 years? The answer is simple: it's PRICELESS.

I urge you to support Senate Bill 0364 and ensure that justice is served for victims of DRUNK DRIVING. Let us work together to create a safer, more just society where human life is valued above all else.

Thank you for your time, and I hope you will find it in your hearts to support this crucial legislation.

Sincerely,

John Duckett, Father of Jamari Duckett

## **25 legis md manslaughter jpr jan 31.pdf**

Uploaded by: Kurt Erickson

Position: FAV



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Kim Twist  
Consultation Beyond  
Chris Verdecchia  
Glory Days Gull  
Elizabeth Vermette  
Good Shopped of Northern Virginia

Kurt Erickson  
WRAP President & CEO

# WRAP

## WASHINGTON REGIONAL ALCOHOL PROGRAM

7900 Westpark Drive, Suite A550 ■ Tysons, VA 22102 ■ TEL 703.893.0461 ■ [www.wrap.org](http://www.wrap.org) ■ Email: [wrap@wrap.org](mailto:wrap@wrap.org)

January 31, 2025

Members of the Judicial Proceedings Committee  
Maryland Senate  
Annapolis, Maryland

**Re.: Support of "Criminal Law – Manslaughter by Vehicle or Vessel – Increased Penalties," Senate Bill 364, Senator Bailey (R-Calvert & St. Mary's Counties)**

Dear Senators:

On behalf of the Maryland nonprofit Washington Regional Alcohol Program's (WRAP) Board of Directors, staff, volunteers and the more than six-million Maryland residents we serve in the fight against drunk driving and underage drinking (including having served as project director of both Maryland's Checkpoint Strikeforce campaign and "Maryland Remembers" ceremony), I wanted to formally communicate to you **WRAP's unequivocal support for Senate Bill 364, "Criminal Law – Manslaughter by Vehicle or Vessel – Increased Penalties,"** Senator Bailey (R-Calvert & St. Mary's Counties).

*(The bill is identical to legislation which unanimously passed Maryland's Senate last year but languished in the House of Delegates' Judiciary Committee.)*

Succinctly, Senate Bill 364 – in an effort to counter existing Maryland sentencing guidelines for vehicular manslaughter which result in ineffectual, remarkably low imprisonment sentences -- increases the "maximum periods of imprisonment" for persons convicted of vehicular manslaughter including for those convicted of such and having been previously convicted of a number of crimes including driving under the influence of alcohol, driving while impaired by alcohol or driving while impaired by drugs or controlled dangerous substances (Maryland Transportation Section 21-902 [a][b][c] & [d]).

(over)

A coalition of diverse interests using effective education, innovative programs and targeted advocacy to end alcohol-impaired driving and underage drinking in the Washington, DC metro area.

A copy of WRAP's current financial statement is available by writing WRAP, 7700 Landburg Pike, Suite 201, Falls Church, VA 22041 or by calling 703.893.0461. Documents and information submitted under the MD OpenSource Solicitation Act are also available for the cost of postage and copies from the MD Society of State, Local, Municipal, & County, 4010 11th St., #100, Falls Church, VA 22041, 703.893.0461.



With nearly a quarter of Maryland's traffic fatalities involving impaired drivers (23%, Maryland Highway Safety Office, 2023), meaningful deterrents and penalties for persons driving negligently and causing either death or serious injury of another are both paramount and overdue.

As a means of better equating the sentence with the *lethal* crime, WRAP supports Senate Bill 364 and urges your consideration of again favorably reporting said legislation.

□□□□□

Thank you, in advance, for your consideration. I may be directly reached with any questions at either 703-893-0461 or at [kurt@wrap.org](mailto:kurt@wrap.org).

Cordially,



Kurt Gregory Erickson  
President



## **SB 364 - Wicomico Favorable.pdf**

Uploaded by: Lauren Bourdon

Position: FAV



**JAMIE L. DYKES**  
**STATE'S ATTORNEY**

**Date:** January 28, 2025  
**Bill:** SB 364  
**Position:** Favorable

I distinctly remember my first encounter with grief. I was about 12 or 13 years old when a very dear friend of mine was killed coming home from soccer practice by a multiple time DUI offender who was driving drunk. He was sentenced to a mere 3 years of prison for extinguishing my friend's life, and erasing her potential from this world.

I remember, even at that age, asking my mom why her life wasn't worth more?

Now, more than twenty years later, I find myself continuing to struggle for an answer to that same question.

I have the privilege of prosecuting some of Wicomico County's most violent offenses, including the fatal motor vehicle collisions. But the only time I have ever had a victim ask me why their loved one's life was not worth more was in relation to manslaughter by motor vehicle cases.

You see, these cases are a great equalizer. They show no prejudice in that you or your loved one may find yourself a victim regardless of your gender, race, creed, religion, or how "good of a life you live." And with Maryland law, as we sit today, you and your loved one's life is worth the equivalent of about 2 years.

As what happened in my last case shows, you or your loved one can be driving home in a perfectly illuminated vehicle, driving at the correct speed limit, coming home from work when you are struck from behind by someone driving 100 mph, by a person too thoughtless, careless, and reckless to open the app on his phone and take an Uber home. On July 12, 2022, four hard working Haitian immigrants were driving home from working the overnight shift at a local chicken plant. They worked there to provide the necessities for survival, and with the hope for a better life for their children.

A college student had been working at a bar in Ocean City, and decided to drink after his shift – on his way back to Salisbury, driving in excess of 100 mph, he ran into the back of their vehicle, sending it careening into a tree. He killed two of the four occupants.

Prosecutors and courts in these cases must consider not only punishment and deterrence, but also what measures needed to be in place for public safety and rehabilitation, such as supervised probation with alcohol monitoring for an extended period of time. This defendant was ultimately sentenced the top of the sentencing guidelines – 20 years, with eight to be served and the balance suspended.

When I first met with one of the victim's daughters, she was understanding and satisfied with an eight-year sentence. But as I explained to her about parole eligibility and that this is not considered a crime of violence, she became justifiably angry.

It was offensive to her that her mother's preventable and violent death was not considered a "violent crime" in the eyes of the law, and that the defendant will be parole eligible after having served only 25% of his sentence. Even if the defendant were to have been sentenced to the maximum, 20 years for two deaths, he would be eligible for release on parole in a mere five years, but this would not provide the necessary supervision following his release to ensure our community's safety.

The victim's daughter was the same age as the defendant. Her mother worked overnight so that she could attend college. Because of her mother's death, she had to drop out of college and now works at that same chicken plant in order to care for her toddler sibling. Every night she drives by the spot her mother was needlessly taken from her.

The death of her mother, and the death of her future, felt minimized because the crime was not labeled a violent crime. I am asking you to support the necessary changes to these laws so that we can achieve all of the purposes of sentencing – so that our community is safer, and so that our victims feel some sense of justice.

The only way to protect the public is to reduce the number of drunk drivers on the road. The way we reduce the number of drunk drivers on the road is by deterrence.

A sentence that permits release on parole after two years is not deterrence.

By giving the courts more time to utilize at sentencing, you are also allowing the court to have more leeway for the important work of rehabilitation, to help ensure the continued safety of all Marylanders.

Public safety doesn't sit solely on the shoulder of police officers, prosecutors, and judges. Today, this important question sits with you.

I am asking you, personally and on behalf of the Office of the State's Attorney for Wicomico County, to please support enhanced penalties so that we can do the important work of making our roadways safer, and so that the next time I have to sit across the table from an innocent victim's family, I don't have to answer the terrible question: why wasn't their life worth more?

Thank you

Lauren N. Bourdon, Esq.  
Senior Assistant State's Attorney  
Office of the State's Attorney for Wicomico County

## **SB 364 - MSAA Favorable.pdf**

Uploaded by: Patrick Gilbert

Position: FAV



## Maryland State's Attorneys' Association

3300 North Ridge Road, Suite 185

Ellicott City, Maryland 21043

410-203-9881

FAX 410-203-9891

Rich Gibson  
President

Steven I. Kroll  
Coordinator

**DATE:**                   **January 29, 2025**

**BILL NUMBER:**    **SB 364**

**POSITION:**           **Favorable**

The Maryland State's Attorneys' Association (MSAA) supports Senate Bill 364 – Jamari's Law – and urges this Committee to issue a favorable report.

Jamari's Law remedies a startling injustice that exists in Maryland law, one that trivializes the killing of another if caused by grossly negligent conduct behind the wheel of an automobile, by increasing the maximum penalties available to a sentencing court. The urgent need for this legislation was recognized last session both by this Committee, which issued a unanimously favorable report on the bill, and by the Senate, which passed the bill unanimously.

Grossly negligent manslaughter by motor vehicle requires the State to prove that a defendant has engaged in conduct that is of extreme or outrageous character and evinces a wanton or reckless disregard for human life – this is conduct that truly shocks the conscience, and is so far removed from the realm of ordinary civil negligence. Reported opinions discussing this offense examine scenarios like street racing in and out of traffic at speeds exceeding 100 miles per hour,<sup>1</sup> or a particularly tragic case in which a driver struck a pedestrian pushing a stroller with her three-year-old grandchild, and then dragged that stroller for another half mile.<sup>2</sup>

When viewed in light of the extreme conduct required to support a conviction, the current maximum penalty for grossly negligent manslaughter by motor vehicle – ten years – is plainly inadequate, particularly because it is considered “nonviolent” for the purposes of parole eligibility, meaning that individuals convicted of this offense become eligible for release on parole after having served only 25% of their sentence. Treating this offense like misdemeanor assault (a crime which requires proof only of a harmful or offensive physical contact but carries an identical maximum penalty) or burglary of a storehouse (which not only carries a more severe maximum penalty, but is also treated as a violent crime for the purposes of parole eligibility, requiring service of 50% of the sentence before consideration for release) is insulting to families of victims after they've lost their loved one in a preventable and senseless tragedy.

When a jury finds beyond a reasonable doubt that a defendant has engaged in conduct that constitutes grossly negligent manslaughter by motor vehicle, courts need more in order to fashion a sentence that more closely approximates justice; MSAA is again urging this Committee's support for this critical bill.

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<sup>1</sup> *Henson v. State*, 133 Md. App. 156 (2000).

<sup>2</sup> *DeHogue v. State*, 190 Md. App. 532 (2010).

# **Jamari Law Testimony.pdf**

Uploaded by: Shownda Greenwell

Position: FAV

**My life change that night when a drunk driver recklessly took my son Jamari away from/us. Jamari was a bright and ambitious young black man, who laid out his path to success with college as his next step only to have a careless drunk driver block his path with a fatal blow from a truck plowing down on him like a tank to a bicycle; he had no chance. This is reckless and a disregard for life when you get behind the wheel drunk and driving over the speed limit. That could have been you, me, your kid(s), parents, or grandparents in that car, and to only get 10years and out a few years later on probation is a slap to all the families that have lost someone to drunk driving. Send a message and increase the penalty for murder because that is what it is with a vehicle is no different than a gun, just a bigger bullet. I know Jamari was going contribute to make the world a better place to live, so let's help him still accomplish that goal and pass Jamari's law.**



# **2025-01-31 SB 364 OPD (UNFAV).pdf**

Uploaded by: Hannibal Kemerer

Position: UNF



**POSITION ON PROPOSED LEGISLATION**

**BILL: Senate Bill 364 – Criminal Law – Manslaughter by Vehicle or Vessel – Increased Penalties (Jamari’s Law)**

**FROM: Maryland Office of the Public Defender**

**POSITION: Unfavorable**

**DATE: 01/31/2025**

The Maryland Office of the Public Defender respectfully requests that the Judicial Proceedings Committee issue an unfavorable report on Senate Bill 364.

Senate Bill 364 *doubles* the statutory maximum penalty for a first conviction for manslaughter by vehicle by increasing the penalty from 10 to 20 years, and for a second, subsequent, conviction the bill *doubles* the penalty from 15 to 30 years.

Under existing law, prosecutors can charge someone with vehicular homicide if they drove in a manner that was “grossly negligent” and killed someone. So, an alleged perpetrator need not have intended to kill, need not have planned to kill, and need not have acted with malice aforethought to be convicted. Yet, under current law, someone may be sentenced to 10 years for a first offense and 15 years for a second, successive, offense. Even granting, for present purposes, that statutory maximum sentences are seldom served in their entirety, it is difficult to conceive of the societal value served by doubling the potential period of incarceration someone might be sentenced to for *accidentally* causing the death of another.

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on SB 364.**

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**Submitted by: Government Relations Division of the Maryland Office of the Public Defender.**