



# **RACIAL EQUITY IMPACT NOTE**

DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2025 Session  
SB0364

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

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### **Bill Summary**

This bill increases the maximum incarceration penalties for manslaughter by vehicle or vessel (gross negligence) from 10 years to 20 years for a first conviction and from 15 years to 30 years for a subsequent conviction.

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### **Racial Equity Impact Statement**

The bill increases the maximum incarceration penalties for manslaughter by vehicle or vessel (gross negligence) for both first-time and repeat offenders. Although there are existing racial disparities in Maryland's criminal justice system, the penalty increases proposed by the bill are not likely to exacerbate these disparities due to the low number of individuals convicted and incarcerated for this offense.

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### **Analysis**

This bill increases the maximum incarceration penalties for manslaughter by vehicle or vessel (gross negligence) from 10 years to 20 years for a first conviction and from 15 years to 30 years for a subsequent conviction. The monetary penalties are not affected by the bill.

Under existing law, manslaughter by vehicle or vessel (gross negligence) is a felony, generally punishable by imprisonment for up to 10 years and/or a fine of up to \$5,000. However, a maximum penalty of imprisonment for up to 15 years and/or a fine of up to \$10,000 applies to a person who has previously been convicted of manslaughter by vehicle or vessel (gross negligence); manslaughter by vehicle or vessel (criminal negligence); homicide by motor vehicle or vessel

while under the influence or impaired by alcohol, drugs, or a controlled dangerous substance (CDS); life-threatening injury by motor vehicle or vessel while under the influence or impaired by alcohol, drugs, or a CDS; or drunk or drugged driving under § 21-902 of the Transportation Article.

### *Gross Negligence*

The standard of “gross negligence” is established in common law and requires that evidence show, beyond a reasonable doubt, that the offender had a wanton or reckless disregard for human life in the operation of an automobile. The conduct must be extraordinary or outrageous to meet this standard.

The Department of Public Safety and Correctional Services advises that, during fiscal 2024, it received 23 incarcerated individuals with a total of 26 convictions for manslaughter by vehicle or vessel (gross negligence). The data did not clearly distinguish between first-time and subsequent offenders. The average sentence length for the 26 convictions was 5.7 years.

The Maryland State Commission on Criminal Sentencing Policy (MSCCSP) advises that it received information on 29 individuals sentenced to 42 counts for a first-time commission of manslaughter by vehicle or vessel (gross negligence) in the circuit courts during fiscal 2024. According to MSCCSP, another 6 individuals were sentenced to 6 counts for a second or subsequent commission of this offense. The Judiciary advises that, in fiscal 2024, there were 14 violations (charges) and 0 guilty dispositions (convictions) for manslaughter by vehicle or vessel (gross negligence) in the District Court. In fiscal 2023, there were 17 violations and 0 guilty dispositions. The District Court has concurrent jurisdiction with the circuit courts over this offense.

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## **Conclusion**

The bill increases penalties for the felony of manslaughter by vehicle or vessel (gross negligence). The bill’s impact is likely to be minimal due to the low number of individuals convicted of or incarcerated for this offense. In addition, the bill’s penalty increases are not mandatory in nature, making any meaningful impact unlikely.

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**Information Sources:** Department of Public Safety and Correctional Services; Maryland State Commission on Criminal Sentencing Policy; Department of Legislative Services

**Analysis by:** Rafael Regales

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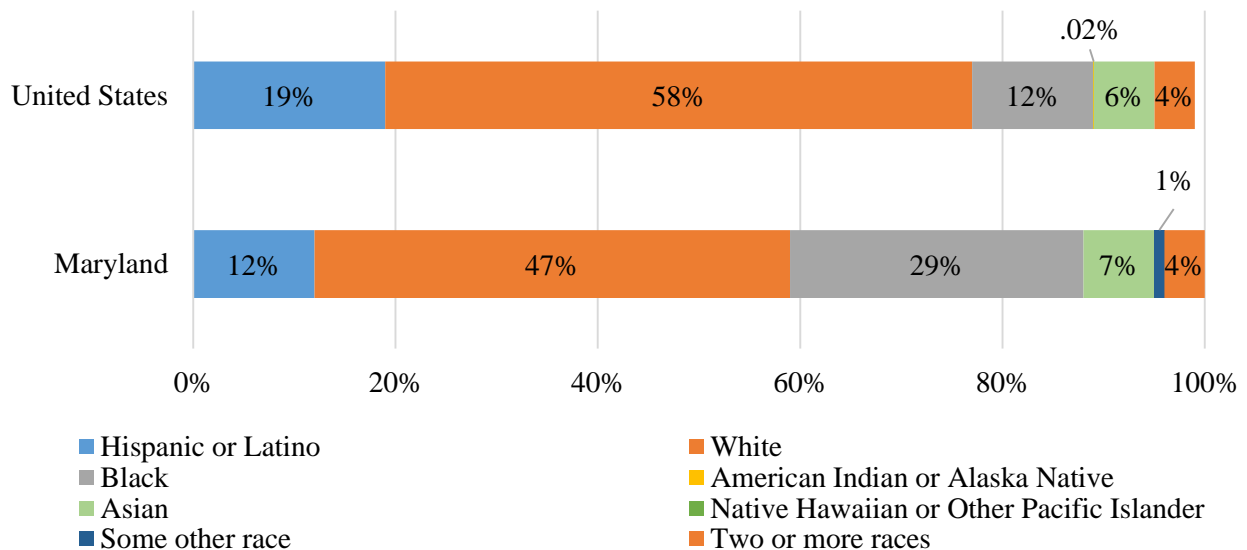
## Appendix – Maryland Demographics

### *Race and Ethnicity of the Maryland Population*

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland’s racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as “other” and “multiracial” (*i.e.*, two or more racial identities), which total 5% of the State’s population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report “white” as their racial group. Despite this decrease, non-Hispanic whites remain the largest race demographic group in the State at 47% of the State’s population.

Compared to the U.S. population overall, Maryland’s population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national populations, the largest shares of the non-white population are individuals who are Black, with 29% of the State population identifying only as Black and another 2.5% identifying as Black in combination with some other race. Maryland’s Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State’s overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State’s population identified as Hispanic or Latino compared to 19% of the U.S. population.

**Exhibit 1**  
**U.S. and Maryland Population by Race and Ethnicity**  
**2020**



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.