



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice
Joint Committee on Environment – March 4, 2009

In support of:

- **S.B. No. 832 An Act Concerning Boating Safety**

The Division of Criminal Justice supports this bill and would respectfully recommend the Committee's Joint Favorable Report. The bill would increase the penalty for causing the death of another individual as the result of operating a vessel while under the influence of alcohol or drugs. The offending conduct would have to be the result of the individual's intoxication. Such conduct is currently considered Reckless Operation of a Vessel in the First Degree and is an unclassified felony punishable by not more than two years in prison and a fine of not less than \$2,500 nor more than \$5,000 or both the prison term and fine.

The bill would create a new crime of Manslaughter in the Second Degree with a Vessel. This new crime would be a class C felony, which is punishable by not less than one or more than 10 years incarceration and/or a fine not to exceed \$10,000. The bill would mirror the Manslaughter with a Motor Vehicle statute found in section 53a-56b both in terms of its wording and the applicable penalty. The Division believes it is a logical extension of the law in that it would essentially apply the same rules of the road to the waterways of this state.

We would note that the effective date of this bill would be July 1, 2009. While new criminal statutes are ordinarily effective on October 1, the Division believes the earlier effective date is appropriate in that the summer months represent the height of the boating season.

In conclusion, we recommend the Committee's Joint Favorable Report for S.B. No. 832 and thank the Committee for affording the opportunity to comment on this matter.