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*The DUI Victims Center of Kansas provides services to victims, survivors, and their families and increases awareness of the traumatic human consequences of the choice to drive impaired.*



1.31.2024

On behalf of The DUI Victims Center of Kansas and the hundreds of victims and survivors we provide support and services to every year, I fully support and earnestly request a vote in favor of HB 2601.

At the DUI Victims Center of Kansas, we see the devastation caused by impaired driving every day. The domino effect and burdens from a single impaired driving crash reaches into future generations by changing family dynamics, forcing families into poverty, and contributing to poor mental and physical health outcomes. And we see this happening more often than not at the hands of individuals with prior DUI convictions.

We believe it is imperative that our response to DUIs be thorough, not only in consequence, but also in prevention and treatment measures. The DUI Victims Center is constantly looking for ways to reduce the instance of driving under the influence, as well as recidivism. We have consulted with Mark Stodola, a Probation Fellow, working under a grant with NHTSA. Mark's background is in prison and probation settings, and he currently travels doing presentations and training on how to make an impact on repeat offenders, DUI fatalities, and recidivism.

According to 2020 NHTSA data, "Alcohol impaired drivers involved in fatal crashes were 4 times more likely to have prior DUI Convictions than were drivers with no alcohol impairment." (That is 8% and 2% respectively)

This means that our opportunities lie both with increasing penalties to discourage offenders across the board, as well as with ramping up stronger prevention practices and intervention practices AS SOON AS A FIRST DUI occurs.

According to research that Mr. Stodola presents on- 2/3 of people convicted with a first DUI do not reoffend. However, getting a DUI, and especially a 2nd time offense should be a huge red flag.

11,654 people were killed in the United States in 2020 by impaired drivers (109 Kansans). 1,905 people were killed in 2020 by people with 1 or more previous DUI convictions. 315 people were killed in 2020 by drivers with 2 or more DUI convictions. By 2021, fatalities rose to an alarming 13,284. Among those was 19-year-old Clayton Dean Patterson a recent graduate of Clearwater, Kansas who dreamed of being a police officer. He was killed by a 4<sup>th</sup> time DUI offender.

In Utah, the IDA (Impaired Driving Assessment) is being administered to **all** people convicted of a DUI, pre-sentencing, to assess their risk factors and adequately respond through sentencing with strict supervisory measures for those likely to reoffend. Early assessment, Probation, and Supervision is critical to make an impact on DUI fatality numbers. We cannot hope to lessen the instance of subsequent DUIs without being willing to assess and treat substance abuse.

Currently, Colorado has a very successful intensive supervision program that is mandatory for all 4<sup>th</sup> time offenders. This is important to consider. What if our prevention is not happening soon enough? We are playing Russian Roulette with people's lives.

In Kansas, we are blessed with incredible substance use disorder treatment providers and we should take full advantage of this and direct our efforts towards an intentional response to something that should be deeply troubling.

On February 3, 2023, Garret Myers was sentenced for Involuntary Manslaughter and aggravated battery while DUI after killing Leroy Grim Jr. on Thanksgiving Day, 2021 in Wichita, KS. When Garret hit and killed Mr. Grim and severely injured Mr. Grim's passenger, it officially became his 4<sup>th</sup> DUI offense in 18 months.

I would invite you to imagine what it would be like to get the news that a precious member of your family had been killed in a crash. Now, imagine that the crash was caused by someone driving under the influence. Let's take it a step further. Imagine that before the court hearings begin, you meet with the prosecutor and find out this individual had 3 prior DUI convictions. How are you feeling after that meeting, knowing that the individual responsible has not only shown an incredible indifference to life, but they will also be free to continue driving until a year or two from now when they finally get sentenced?

You have the opportunity through the passing of this bill to demonstrate your intention to take every measure possible to prevent this from happening.

I implore you to also consider making the DUI Victim Impact Panel a mandatory requirement for ALL DUI offenses throughout the state of Kansas. Currently it is at the discretion of the court to decide whether it is ordered. We have countless testimonies to attest to the fact that education, prevention, and treatment is the difference between a 2<sup>nd</sup> time offender becoming a 3<sup>rd</sup>, and so on.

The way we talk about and treat DUI's is a cultural practice. It sets the standards for the beliefs and attitudes around driving impaired. It is about the value we place on LIVES.

Thank you for your time and consideration. Please consider the DUI Victims Center of Kansas at your service in any partnering effort to prevent the tragic consequences of DUIs.

If you would like to consult with Mr. Stodola on his expertise in probation practice, assessment tools, and reducing recidivism, his contact information follows, as does mine.

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