

STATE OF KANSAS
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J. RUSSELL JENNINGS
122ND DISTRICT

February 6, 2018

HB 2439

Proponent Testimony: J. Russell Jennings
Senate Judiciary Committee

Mr. Chairman and committee members: I appear today in support of HB2439, "Caitlin's Law".

This bill seeks to fill a gap that currently exists within our structure of laws pertaining to driving under the influence related behavior. The bill creates new violations of law under the general crimes of Involuntary Manslaughter and Aggravated Battery for repeat offenders who drive in violation of restrictions placed upon their privilege to drive when those restrictions were imposed for a previous instance of driving while under the influence.

Unfortunately, as is often the case, this gap in the law was illustrated in a Johnson County fatality crash where 24-year-old Caitlin Vogel was killed. The offender in this case had two prior DUI convictions and had an interlock restriction placed upon his driving privilege. As you know, the interlock device precludes a person from starting their car after drinking. In Caitlin's case the offender spent the evening drinking at a bar and then borrowed a friend's car as he knew he would not be able to operate his own. Following the crash the offender is quoted as having said "I just wanted to drive around."

This bill will serve notice upon those with sanctions imposed upon their privilege to drive that should they violate those sanctions, drive while under the influence and be involved in a crash that either seriously injures or kills another person, they will be spending a substantial period in prison.

On final action the House voted 122 – 0 to pass this legislation. I hope that the Senate will follow the lead of the House on this bill.