

**Testimony of William S. Church in support of House Bill 7025
An Act Concerning The Operation Of A Motor Vehicle While Under
The Influence Of Intoxicating Liquor Or Any Drug,
And While A Child Is In The Motor Vehicle
March 20, 2015**

My name is William Church and this written testimony is in support of House Bill 7025, An Act Concerning The Operation Of A Motor Vehicle While Under The Influence Of Intoxicating Liquor Or Any Drug, And While A Child Is In The Motor Vehicle.

My son Dustin was killed by a drunk driver in 2004. On the day he was killed, everything changed for our family. There would be no graduation to attend, no wedding ceremony, no grand children for us to enjoy. However, there would always be someone missing at every family gathering, an empty chair at the dinner table and a very large hole in each of our hearts. For a parent, there is nothing worse than losing a child. That's why I'm in favor of any legislation that would help reduce the possibility of any family suffering as we have.

In the last few years, Connecticut has made great strides by, first, in 2011, passing legislation requiring repeat offenders of drunk driving to install and maintain Ignition Interlock Devices. Last year at this time, legislation requiring all drunk drivers to use Ignition Interlock Devices was passed unanimously by both the House and the Senate and signed into law by the Governor. A statute that enhances the penalties for drunk driving with a child in the vehicle would be another important step in the right direction.

Motor-vehicle crashes are the leading cause of death among children aged 1 year or under in the United States and one in four crash-related deaths among child passengers aged 14 years or under involves alcohol use. To characterize the occurrence of child passenger deaths involving drinking drivers during 1997--2002, CDC analyzed data from the Fatality Analysis Reporting System (FARS) of the National Highway Traffic Safety Administration. This report summarizes the results of that analysis, which indicated that among the 2,355 children who died in alcohol-related crashes, 1,588 (68%) were riding with drinking drivers.

Driving under the influence of alcohol or other drugs is criminal and irresponsible. Having a child in the car elevates this criminal act to child abuse.

My only concern is that what is written in House Bill 7025 may not accomplish what needs to be accomplished. To simplify the proper enhanced penalties for Child Endangerment, a chart is attached.

**Testimony of William S. Church in support of House Bill 7025
An Act Concerning The Operation Of A Motor Vehicle While Under
The Influence Of Intoxicating Liquor Or Any Drug,
And While A Child Is In The Motor Vehicle
March 20, 2015**

First Arrest for DUI Child Endangerment	Second Arrest for DUI Child Endangerment	Third Arrest for DUI Child Endangerment
<p>Ignition Interlock Device for 1 Year after 45 day license suspension <i>(Triggered by per se suspension)</i></p> <p>Alcohol Education Program (If deemed qualified/appropriate) Additional Conditions: 100 Hours of Community Service, Victim Impact Panel</p> <p><i>Use of the Alcohol Education Program is to divert conviction and exposure to jail</i></p>	<p>Ignition Interlock Device for 2 Years after 45 day license suspension <i>(Triggered by per se suspension)</i></p> <p><i>If Alcohol Education Program was used in first arrest, this becomes a first conviction and follows the penalties below.</i></p>	<p>Ignition Interlock Device for 4 Years after 45 day license suspension <i>(Triggered by per se suspension)</i></p> <p><i>If Alcohol Education Program was used in first arrest, this becomes a second conviction and follows the penalties below.</i></p>

First Conviction of DUI Child Endangerment	Second Conviction of DUI Child Endangerment	Third Conviction of DUI Child Endangerment
<p>Ignition Interlock Device for 2 Years after 45 day license suspension <i>(Triggered by per se suspension)</i></p> <p>Up to 1 Year in Jail (48 Hours in Jail May Not Be Suspended) Up to \$2,000 Fine</p> <p>Conditions of Probation: 100 Hours of Community Service, Victim Impact Panel</p>	<p>Ignition Interlock Device for 4 Years after 45 day license suspension <i>(Triggered by per se suspension)</i></p> <p>Up to 5 Years in Jail (120 Days in Jail May Not Be Suspended) Up to \$5,000 Fine</p> <p>Conditions of Probation: 100 Hours of Community Service, Victim Impact Panel</p>	<p>Ignition Interlock Device for 6 Years after 45 day license suspension <i>(Triggered by per se suspension)</i></p> <p>Up to 10 Years in Jail (1 Year in Jail May Not Be Suspended) Up to \$10,000 Fine</p> <p>Conditions Probation: 100 Hours of Community Service, Victim Impact Panel</p>

On a first offense, the offender, if deemed Eligible for the Alcohol Education Program, may divert a conviction by participating in the AEP program, performing 100 hours of community service and attending a victim impact panel.

A second arrest will then become a first conviction (third arrest/second conviction) and the penalties above for that and any ensuing convictions.