

Testimony of Kathy Lysell

To: House Committee on Judiciary
The Honorable John Barker, Chair

Date: February 4, 2015

Re: HB 2115, aka Mija Stockman's law

I would like to thank Chairman Barker and the committee for allowing me this opportunity to speak before you today.

My name is Kathy Lysell. You will soon be voting on House Bill 2115 which will be known as Mija Stockman's Law. I am Mija's mother—that is my connection to this bill, and I appreciate Representative Mason's bringing attention to this important issue.

Our experience with the judicial system in the last year has been, frankly, very positive—the sentencing proceedings were conducted in a very professional manner. However, I feel very strongly that the sentencing guidelines for someone having perpetrated the crime about which I will speak are weak, to say the least. That is the main purpose of this bill—to increase length of sentencing for perpetrators of this type of alcohol-related crime.

It has been over 13 months since I received the phone calls from Shawn, Mija's husband. He told me that she had been in an accident and was critically injured. As I headed to Via Christi in Wichita, fear flooded my mind and heart. My first call was to Mija's dad, Larry. I started calling everyone I could think of, and as tears poured down my cheeks, I asked them to pray for Mija. Along with the fear came the memories.

August 22, 1975 I gave birth to our first child. We thought she was the prettiest baby ever. What a little miracle God had given us! Over the years, she grew to excel in music, art, and sports. She received hundreds of medals, certificates, and honors in these areas, but the most important traits that set Mija above all these accomplishments are her personality and her tender and loving heart and soul. She grew up a beautiful young woman, both inside and out. A woman who loves her family, friends, co-workers and students.

Mija loves life! She loves her family! Her family is the most important thing in her life. She knows no stranger. When she comes into a room, she emits a bright light with her bubbly personality and smile. That smile and her pigtails are her trademarks. Always ready to help out in anyway, whether making a meal for someone, visiting a friend in the hospital, helping care for her late grandmother or simply listening. Her passions are cooking, gardening, canning, singing, and watching her daughters in their sports and spending time together as a family.

Her love of singing continues throughout her life. She sang in several friends' weddings, her sister and sister-in-law's weddings, in the shower and car, at work, church and even to the dogs when she was trying to get them to do something.

She loves God and her church and has been involved in teaching Sunday School, Bible School, and reading the scriptures in church services.

Mija's love of teaching is evident in the love that her students' and co-workers have for her. She cares about her students. Always creative and thinking up new ideas that would help motivate her students' physical needs and well-being. She has always taken time to listen to them. Mija loves teaching at Roosevelt Elementary in McPherson. She always says "they are just one big family," and hopes to return to teaching someday.

December 20th changed all our lives forever. After Shawn had to return to work, I stayed with Mija day and night the majority of the time during the week while she was at Madonna Rehabilitation Hospital in Lincoln, NE. In her new Rehab. Facility in Gardner, KS, I can not stay with her at night, only during the day. Watching her, allows me to witness her struggles in therapies, the frustrations she has when she does not know how to move her arms or legs—the frustrations she has of not understanding why she can not walk or sit without falling over backwards when she once was in great physical condition and her muscles were strong. I continue to watch her suffer with extreme pain, on a daily basis, after surgeries, therapies, or doing simple daily tasks. Tears well up in her eyes when she is sad because she does not completely understand what has happened that she can not do things like she used to or when her family and friends have to say good-bye after visiting. I watch her work hard and try to improve so she can get to the place and time that she can go home to her family. As her mother, it hurts me to see her struggling to increase the sound of her voice or feel

around to find objects or where she is because there is limited vision in the one eye that is open but never completely shuts and the other eye that is shut but never opens. Mija is a fighter. She is determined to sit and walk, on her own, again. She is learning to feed herself with very limited, if any, sight.

Her girls have been unbelievably strong. Mija missed most of Eryn's first year of college experience, all of her second year and both of her softball seasons. She has missed most of Brynne's first year of high school experience, all of her second year, most of her basketball and both of her softball seasons. Mija also missed most of Taylor's 4th grade year and all of her 5th grade year of elementary school. The girls have stayed strong by working and playing hard for their mother. They have had the support of teammates, friends and family, but it doesn't take the place of their mother.

Our family has remained hopeful and strong. We have not allowed negativity to take over or control our lives. Her sister, Mauri, has faithfully managed Mija's facebook page making consistent posts on Mija's condition and progress. Mauri does not allow negative comments to be posted.

One's personal life is his or her own business, but when a person gets behind the wheel of a vehicle after drinking, it then affects other people's lives!!!! This proposed law would increase the penalty for aggravated battery while driving under the influence, especially if the person has multiple offenses. The short time that the man who hit our daughter is serving does not compare to the life sentence our daughter will have.

Thank you for your time, and I will stand for questions.

Kathy Lysell