

MINUTES OF THE HOUSE COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE.

The meeting was called to order by Chairperson Ward Loyd at 1:30 p.m. on March 13, 2003, in Room 526-S of the Capitol.

All members were present except:

Committee staff present:

Jill Wolters - Revisor of Statutes
Mitch Rice - Revisor of Statutes
Jerry Ann Donaldson - Legislative Research Department
Nicoletta Buonasera - Legislative Research Department
Bev Renner - Committee Secretary

Conferees appearing before the committee:

Senator James Barnett
Senator Nancy Harrington
Dennis and Linda Beaver, Casey's parents--Powerpoint presentation
Robert Nichols, Casey's Best Friend
Jerry Beaver, Casey's Uncle
Teresa Walters, Chief Executive Officer--Emporians for Drug Awareness, Emporia
Margi Grimwood, Director--Drug Free Schools Coalition, Emporia
Karen Thompson, Casey's Aunt (written testimony)
Katie Laurie, Casey's Friend (written testimony)
Richard Dearth, City Attorney, Parsons (written testimony)
John Calhoon, Sheriff--Atchison County (written testimony)
Stephanie Nue--Regional Prevention Center Education and Training Center, Overland Park
Lyon County Commission (written testimony)
Wanda Stewart, State Chairwoman--Mother's Against Drunk Driving (written testimony)

SB 33 - Authorizing the impoundment or immobilization of vehicles of persons convicted of D.U.I. offenses.

Chairperson Loyd opened the hearing on SB 33.

Senator James Barnett was recognized to speak in support of **SB 33** (Attachment 1). Senator Nancy Harrington was available to answer questions. This bill has become known as "Casey's Law". **SB 33** is intended to reduce the risk of tragic accidents and unnecessary deaths that can occur on Kansas highways by allowing cities and counties and district courts the local option of developing impoundment or immobilization ordinances. The language is permissive, to allow consideration of the social factors and issues involved with the families of the victim and the drunk driver. The Kansas Bankers Association assisted with appropriate language to handle outstanding liens on impounded or immobilized vehicles. **SB 33**, also, includes language dealing with due process.

Dennis and Linda Beaver, Casey's Parents, gave a Powerpoint presentation depicting their son and the tragic accident that took his life. They introduced members of their family and friends in the room who were there to support with their presence and some to testify. The accident occurred August 4, 2000 on highway 71 about 6 miles south of Neosho, Mo. at 9:35 at night, an eight-time convicted drunk driver on the wrong side of the road for over a half-mile, ran two cars off the road, side-swiped a van, and hit Casey's car head-on.

Robert Nichols, Casey's Best Friend and Jerry Beaver, Casey's Uncle (Attachment 2) gave testimony in support of **SB 33**. Mr. Beaver quoted two recent studies by the AAA Foundation who found that, 1) Two-thirds of drivers with suspended licenses continue to drive, 2) More than half of all drivers arrested for driving while intoxicated are repeat offenders, and, 3) There is less than 1-in-50 chance a drunk driver

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE at 1:30 p.m. on March 13, 2003, in Room 526-S of the Capitol.

will be arrested on any given drunk driving trip.

Teresa Walters, Executive Director of Emporians for Drug Awareness appeared in support of **SB 33** (Attachment 3). An individual who habitually drives drunk often doesn't care if their license is revoked or suspended. **SB 33** grants local governing bodies authority to impose sanctions such as vehicle impoundment or immobilization for repeat DUI offenders.

Margi Grimwood, Director-Drug Free Schools Coalition, Emporia was recognized to speak in support of **SB 33** (Attachment 4). Ignition Interlock is being used in Kansas as a deterrent for the repeat drunk driver. Two Auto Shops in Emporia install these systems. One has stopped because of the many problems with system failure and no backup support from the manufacturing company. The second is continuing to install the system that is working well and would be hard to disable, but it is expensive; \$149 for installation, \$73 for set up fee and a \$73 leasing fee each month for a year. About 75% of suspended drivers continue to drive, so many of them may be choosing to drive illegally instead of paying these ignition interlock fees. The advantage of vehicle forfeiture would be that the vehicle is taken away, so the driver doesn't have a way of "beating the system."

The attention of the committee was directed to written testimony supporting **SB 33** submitted by Karen Thompson, Casey's Aunt (Attachment 5), Katie Laurie, Casey's Friend (Attachment 6), City Attorney Richard Dearth, Parsons (Attachment 7), Sheriff John Calhoun, President-Kansas Sheriff Association from Atchison (Attachment 8), Stephanie Nue, Regional Prevention Center Education and Training Center from Overland Park (Attachment 9), Lyon County Commission (Attachment 10) and Wanda Stewart, State Chairwoman of Mother's Against Drunk Driving (Attachment 11).

Chairperson Loyd closed the hearing on SB 33.

The meeting was adjourned at 2:40 p.m. The next scheduled meeting is on March 17, 2003.

**HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE
GUEST LIST**

DATE March 13, 2003

NAME	REPRESENTING
Teresa Walters	Emporians for Drug Awareness
Margi Grimwood	USD 253, Safe & Drug Free Schools
Robert J. Nichols	Casey's Law
Linda & Dennis Beaver	Caseys Law
Sean Harrington	
Lina Portner	Sen Barnett
Emilio & Socorro	SEBELSHIP Cowley County 2003
Yana Buterbaugh	Leadership Cowley County
Senator Nancy Harmsworth	district 24
Eric Banner	
Andrew Shanne	Casey's Law
Bryan Beaver	Casey's Law
AARON BEAVIER	Casey's Law
Luella Maurer	Casey's Law
Megan Hoss	Casey's Casey's Law
Karen Smart	MADD
Jennifer Kiehl	Atchison Area Chamber of Commerce
Glenda Purkis	Casey's Law
Julie Priest	Leadership Cowley County
Michael Walton	Leadership Cowley County
Michael White	KCDAA
Pam Ayers	Leadership Cowley County
Kathy Lewis	Leadership Cowley County
Sherry Biddle	Leadership Cowley County
KICK FISCHLI	MIRROR, INC.

JIM BARNETT
 SENATOR, 17TH DISTRICT
 CHASE, COFFEY, GEARY, GREENWOOD
 LYON, MARION, MORRIS, OSAGE, AND
 WABAUNSEE COUNTIES



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
 VICE CHAIR: PUBLIC HEALTH AND WELFARE
 VICE CHAIR: FINANCIAL INSTITUTIONS AND
 INSURANCE
 MEMBER: FEDERAL AND STATE AFFAIRS

Testimony for Senate Bill 33

Mr. Chair and members of the Corrections and Juvenile Justice Committee, thank you for the opportunity to speak in support of Senate Bill 33.

The intent of this legislation is to reduce the risk of tragic accidents and unnecessary deaths that can occur on Kansas highways. My first awareness of this issue came from a conversation with Dennis and Linda Beaver. They will share their story with you. Their loss touched my heart and brings me before this committee today to ask for your help.

Impoundment of vehicles is not a new subject. A number of cities have enacted this legislation across the United States. They include New York City, Springfield, Missouri, Albuquerque, New Mexico, and Portland, Oregon. Upon review of available data and discussion with research staff, I advised the Beavers that we introduce legislation to allow cities and counties the local option of developing impoundment or immobilization ordinances. In order to do so, statutory change is necessary to the uniform DUI laws for our state. To maintain equal protection under the law, the proposed legislation also includes district courts. This has been added to provide a level playing field in our court system. As well, the language is permissive, to allow consideration of the many social factors and issues involved with both the families of the victim and the drunk driver. Additionally, I have visited with the Kansas Bankers Association to be certain that appropriate language is included to handle outstanding liens on impounded or immobilized vehicles. Lastly, the bill includes language dealing with due process. The suggestions of Mr. Tuck Duncan were greatly appreciated by the Senate Federal and State Affairs Committee. Language was included to incorporate his suggestions.

For the first time in a number of years, the state of Kansas has seen an increase in the number of drunk driving fatalities. This legislation is one tool that we can use to reduce those tragic deaths and injuries that could involve any one of us or our loved ones.

I appreciate your consideration of this proposal.

Signed:

Senator Jim Barnett

JAB/gkp

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H. Corrò J.J.
 3-13-03
 Attachment 1

March 11, 2003

Corrections and Juvenile Justice Committee
Kansas State House of Representatives
Topeka, Kansas

Re: Support of Casey's Law/Senate Bill 33

To the Committee:

The date was August 5, 2000 at 1:06 A.M. when a phone call forever changed our lives. The callers were my brother and his wife, sharing with us the devastating news that a drunk driver, at 9:35 P.M. the prior evening, had murdered our 23-year-old nephew, Casey Beaver. The news was even more difficult to accept when we were told the drunk driver had eight previous DUI convictions. He had been sentenced to prison, had served only a very short time for so many offenses, and was back on the road using alcohol as the ammunition and a car as a weapon.

The pain and agony I have watched over the past two and one-half years is indescribable. The pain of parents losing a child, the pain of a brother losing his only sibling, the pain of grandparents, aunts, uncles, cousins, friends and the list goes on. I am watching a family endure a life sentence of pain and loss as a result of an individual who made the choice to drink and drive, and thus take a life.

I definitely want to go on record as a supporter of Casey's Law/Senate Bill 33. Perhaps if the Newton County Judge had had the opportunity to choose to impound vehicles for repeat offenders, Casey would be alive and serving his residency as a third year medical student. I want my children and family to feel safe as they drive on our state's roads. I feel Casey's Law/Senate Bill 33 creates another tool for our local governments to use to help make this happen.

There has been some concern expressed regarding innocent family members being put under duress should a family car be impounded. Please allow me to share another point of view regarding this matter. In an alcoholic family there is usually one person who becomes the enabler for the alcoholic by making excuses, covering up, etc. This enabler often does this out of fear of the alcoholic person and what might happen if they don't provide a cover. The enabler most often would like to have help with the situation but is often afraid to ask for that help for fear of how the alcoholic might respond. Having served as an elementary and middle school principal for 19 years I have witnessed many conferences with children conducted by SRS and law enforcement officials.

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Attachment 2

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Casey's Law/Senate Bill 33

They come to school when a report has been made wanting to talk with the children outside the home environment regarding the use of alcohol in the home. One can tell from listening that the effects on children from these families are devastating as they share what is happening in the home and how they would like for it to be different. Perhaps impounding a vehicle might cause the family to get the help they so desperately want and need. Perhaps impounding a vehicle will save the life of one of these children that live in this type home. Perhaps impounding a vehicle will save the life of an innocent victim...one of your own children.

The AAA Foundation for Traffic Safety recently released two studies. Among the findings of the studies:

- Two-thirds of drivers with suspended licenses continue to drive.
- More than half of all drivers arrested for driving while intoxicated are repeat offenders.
- There is less than 1-in-50 chance a drunk driver will be arrested on any given drunk-driving trip.

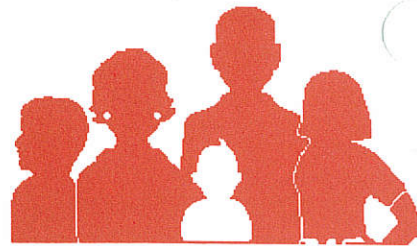
I sincerely want to thank you for being attentive to, and considering the passage of Casey's Law/ Senate Bill 33. I feel tools such as this can assist our judicial system in lessening the number of families that have to deal with such a tragic and senseless death.

Sincerely,

A handwritten signature in cursive script that reads "Jerry Beaver". The signature is written in black ink and is positioned above the typed name.

Jerry Beaver
Olathe, Kansas

Emporians for **DRUG AWARENESS**



Working for a Safer Community

March 13, 2003

The Honorable Representative Ward Loyd, Chair
Corrections and Juvenile Justice Committee
Room 526-S, State Capital
Topeka, Kansas 66612

Honorable Representative Loyd and Committee Members,

On behalf of the Board of Directors of Emporians for Drug Awareness, we support Senate Bill No. 33 also known as "Casey's Law" which was introduced by Senator James Barnett.

According to the National Highway Traffic Safety Administration, **about 1/3** of all drivers arrested or convicted of driving while intoxicated or driving under the influence of alcohol **are repeat offenders** (NHTSA, January 2001). In addition, the risk of a driver who has one or more driving while intoxicated (DWI) convictions becoming involved in a fatal crash is **1.4 times the risk** of a driver with no DWI convictions (NHTSA, 2002). MADD reports that the annual cost of alcohol-related crashes in Kansas in 2001 was \$900,000,000. This figure is extremely significant to our state but it is impossible to put a price tag on the toll these crashes take on the victims' families.

An individual who habitually drives drunk often doesn't care if their license is revoked or suspended. Granting local governing bodies authority to impose sanctions such as vehicle impoundment or immobilization for repeat DUI offenders will provide an important tool to remove a potential weapon from the hands of individuals who persist in choosing to drive impaired and put innocent victims' lives at risk.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Walters".

Teresa Walters
Executive Director

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3-13-03
Attachment 3



Safe and Drug Free Schools

P.O. Box 2015 • Emporia, Kansas 66801 • (620) 341-2450 • Fax (620) 341-2331

March 13, 2003

The Honorable Representative, Ward Lloyd, Chairperson
Corrections and Juvenile Justice Committee
Room 536, State Capitol
Topeka, KS 66612

Honorable Representative Lloyd and Committee Members,

I am a social worker practicing as the Safe and Drug Free Schools Coordinator for the Emporia School District. Please allow me to testify in favor of Senate Bill 33, also known as "Casey's Law".

"Casey's Law" would give local courts the ability to impound a drunk driver's vehicle. As Dennis and Linda Beaver have often stated, "the vehicle is the weapon, and alcohol is the ammunition." If the driver's car is seized, the "weapon" is removed from the hands of the drunk driver. In the past, concerns have been expressed about the hardship this would pose for the family. Allowing local courts to impose these sanctions locally would also enable local resources to help a family who truly has transportation problems. Local social service agencies, local probation offices, local workplaces, and local schools could work with these families on a case by case basis to assist with transportation needs.

Transportation issues can be solved, but an even greater hardship to our families and communities occurs when children are riding in the car with the drunk driver. As citizens, we have to be concerned about protecting innocent children who may be passengers with a drunk driver, or who may be passengers in the other car. According to DUI statistics compiled by Kansas MADD, there were 1,278 children between the ages of 0 and 14 who were involved in alcohol related crashes between 1999 and 2001. This means that over 400 children in Kansas each year are involved in an alcohol related crash, either as a passenger with the drunk driver or as the victim in the other car. Vehicle forfeiture would protect these children from injury and possible death.

Ignition Interlock is being used in Kansas as a deterrent for the repeat drunk driver. I have spoken with two Auto Shops in Emporia which have installed these. Williams Automotive stopped doing this about 4 years ago because they had so many problems with the system failing, and no backup support from the company that sold the interlock system. Currently, the only company in Emporia installing ignition interlock is University Audio. They just started doing this in November. They feel the system is working well, and it would be hard to "disable" the system, although it is possible. However, the cost is pretty steep. It costs \$149 for the installation, \$73 for the set up fee, and a \$73 leasing fee each month for a year. About 75% of suspended drivers continue to drive, so many of them may be choosing to just drive illegally instead of paying these ignition interlock fees. The advantage of vehicle forfeiture would be that the vehicle is taken away, so the driver doesn't have a way of "beating the system".

Ignition interlock, when used and used properly, is one tool that Kansas is using to protect the public. Vehicle forfeiture would give local municipalities an additional and even stricter sanction to impose on the repeat offender. Thank you for considering these issues as you study "Casey's Law".

Sincerely,

Margi Grimwood, Coordinator

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Attachment 4

One day afternoon, I saw an ad on television that featured home-movies of a teenage girl who was killed by a drunk driver, and I thought to myself, "Who is listening? Who is relating to this? Who cares?"

Today, our DUI/DWS laws are tougher than ever before, but these laws are not enough. In spite of stricter DUI/DWS laws, the percentage of alcohol-related fatalities actually increased in Kansas from 35 percent to 39 percent from the year 2000 to 2001.¹

My sister asked if I would speak to you today, because she wanted me to tell you about the clause that I have in my daycare policy. It states:

Please do not ask or expect me to release your child to you or an authorized person who is physically or mentally impaired by alcohol or other controlled substance. The safety of your child is very important to me, and child endangerment is against the law.

This clause may be a small thing. I don't even know how often—or if—someone might come to pick up their child after they have been drinking, but I have seen first-hand the agony and loss that a family can suddenly be thrust into as a result of a drunk driver. If having this clause in my policy handbook causes even *one person* to stop and think before drinking and driving, then maybe I have saved a child's life.

Mr. Gilmete murdered my nephew. He combined alcohol and his car, and used those devices in a thoughtless, irresponsible manner. We have all heard about the effects of alcohol—the lack of coordination, blurred vision, and slower reaction time. Tie those physical effects together with the mental effects of loss of reason and aggressive behavior and a vehicle becomes a lethal weapon.

In an article entitled "Driving Home the Facts—About Repeat Offenders," the National Highway Traffic Safety Administration (NHTSA) states that

"Studies show that the severity of motor vehicle crashes increases with the degree of alcohol involvement . . . In fact, hard core drinking drivers accounted for nearly half of all alcohol-related fatal crashes in 1997, while representing only one percent of the drivers on the road at that time."

Some studies show that as many as 75 percent of drivers continue to drive during periods of suspension or revocation.

Recognizing that repeat offenders are an extreme threat to themselves and others, the NHTSA is recommending that strong enforcement and strict penalties are necessary to curb this behavior, such as (and I quote) "the use of ignition interlock devices and *impoundment or immobilization of the repeat offender's vehicle*, in coordination with treatment through a formal substance abuse or dependency program." Their studies have found that vehicle immobilization is having a positive effect in states like California, reducing the number of crashes and subsequent citations.

¹ Source: 1982-2000 (Final) FARS Files and 2001 FARS Annual Report File, FHWA's Highway Statistics Annual Series. [National Center for Statistics and Analysis 400 Seventh St., SW, Washington DC 20590

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Attachment 5

ing you today to enact legislation that will get drunks off our highways. Vehicle immobilization or impoundment works.

So, back to my original question, "Who cares?" I am here today to tell you that I care. I care because my nephew was an innocent victim of a man armed with a lethal weapon—his car—in spite of his having eight previous DUI violations, the loss of his driver's license, and mandatory jail time (which had been greatly reduced). I care that the system failed to keep this man from driving a car while he was drunk. I care because I know that some of those 17,448 people who died in the United States in 2001 in alcohol-related crashes were not drunks. Some were just someone's parents or child or young children. These people never had a choice.

With a person in the United States dying every 30 minutes from alcohol-related injuries, we—as individuals—have to start caring. We have to keep drunks from driving. Those opposed to vehicle immobilization say that it is a hardship for the families of drunks. I say that losing a family provider because of some drunk is harder than losing your car. I say that burying your child is harder than losing your car.

As lawmakers, you have a responsibility to make the laws that empower those judges and prosecutors who want to keep drunks off our highways. The amendments contained in Senate Bill No. 33 will provide our courts with a valuable tool, one that has been shown to significantly reduce the number of crashes and subsequent citations for repeat offenders.

For Casey's sake and for the sake of all of the non-drinking victims of drunk drivers, I implore you once again to show your support for tougher DUI/DWS laws in the State of Kansas. I believe in vehicle immobilization and impoundment. I believe it will save lives.

Please care.

Karen Thompson
Parsons, Kansas

To whom it may concern,

My name is Katie Laurie and I met Casey during the summer of 1996. We both had grown up in Atchison but somehow never met until then. I was quite ecstatic about meeting him because we would be attending the University of Kansas together. He had already been there a year so he told me that he would show me around. Instead he took me under his wings and made my freshman year unforgettable. We became instant friends and a few weeks later I felt as though we had known each other our whole lives. Casey motivated me to be the best person I could be. He gave me advice about my classes, boys and everything else one could comment on. We would go running together and even though his stride was equal to two of mine he ran right by my side. Casey had this way of making you feel special and helped you to see the greatness inside yourself. He would call every night to check on me and came to my horse shows that were 3 hours away. I had never experienced such an amazing and true friendship.

Casey was the most perfect and loving person I had ever met and remains to be the only one to this day. Casey could light up a room with just a smile and make the girls melt with his big blue eyes. He was intelligent, bright, caring and giving. However, he was much more than that. I can not describe in words what Casey means to me. He had accomplished so much. He had graduated from college and was heading to Chicago to become an eye doctor. However, there was still much more for him to look forward to. Unfortunately, he never got the chance.

Now his parents have taken on a role to protect the other "Casey's" in the United States. This role is not something they asked for or ever wanted to have. However, they have accepted this challenge and are doing whatever they can to make a difference. What the Beavers have taken on is the biggest expression of love any parent could give. They are doing what no other parent could do. Now you can see where Casey got his loving nature.

Casey was a "one of a kind" guy who was cheated out of fulfilling his life-long dreams. Now it is up to us to carry out his life through his death.

Sincerely,

Katherine Laurie

Katherine Laurie

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Attachment 6

March 13, 2003

Corrections and Juvenile Justice Committee Members
Kansas House of Representatives
Topeka, Kansas

Re: Support of Senate Bill 33

To the Committee:

I have been active in the legal representations of Kansas municipalities since 1969. I have served as the City Attorney for Parsons since 1976. I am actively engaged in prosecuting DUI cases in the Parsons Municipal Court. This experience has convinced me that we need to be ever vigilant in the control of alcohol impaired drivers on Kansas streets and highways. While I applaud the efforts of the Kansas Legislature in removing the so-called three year grace period on prior DUIs, I feel that more work needs to be done.

Senate Bill 33 provides an opportunity for Kansas municipalities to enact ordinances that provide for forfeiture or impoundment procedures for vehicles used by alcohol impaired drivers in the commission of crime. In my view, this would provide a very useful tool in our efforts to deal with this dangerous problem. Perhaps this measure would be an incentive for those convicted of DUI not to re-offend.

I would like to go on record as supporting the passage of Senate Bill 33.

Very truly yours,

Richard C. Dearth
City Attorney
City of Parsons, Kansas

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3-13-03
Attachment 7

Written Testimony concerning SB 33

House Corrections & Juvenile Justice Committee
March 13th, 2003
Presented by John Calhoon, Atchison County Sheriff

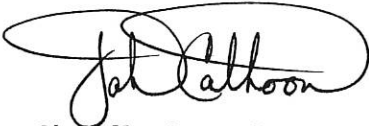
Mr. Chairman and members of the committee, my name is John Calhoon and I currently serve as a governing board member of the Kansas Association of Counties, President of the Kansas Sheriff's Association and Sheriff of Atchison County.

I am here today to specifically address Section (K) of SB 33 relating to giving the courts the viable **option** of impounding a convicted person's motor vehicle. It is my understanding that this bill would allow local units of governments the ability to enact such an ordinance or resolution to assist their communities in combating drunk driving.

Clearly, the legislature has the right and authority to increase consequences and penalties of offenders associated with taking the lives of innocent individuals traveling our Kansas roadways. As an 18-year veteran of Law Enforcement, with the past 9 years serving as Sheriff, I have had the unfortunate responsibility of dealing with numerous repeat offenders of drunk driving. We must certainly take aggressive action to take their weapons from them in order to decrease the number of alcohol related fatalities within the State of Kansas.

While I could share many horror stories with you related to drunk drivers and alcohol related crashes, I would rather thank you for your concerns and actions over the past several years related to drunk driving, and ask that you continue to hold DUI offenders more accountable for their actions by passing SB 33.

I very much appreciate the work you do and respectfully ask for your support on this bill.



Sheriff John Calhoon

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3-13-03
Attachment 8

Stephanie Nee -
Regional Prevention
Overland Park ?
dev

Written Testimony in Support of SB 33
Thursday, March 13, 2003
Correction and Juvenile Justice Committee
Ward Lloyd, Chairperson
Submitted by the Johnson County Safe Communities, Inc.
and the Johnson County STOP Underage Drinking Project

The Johnson County Safe Communities, Inc. is a coalition in Johnson County, KS whose mission is dedicated to reducing alcohol related injury and death across the lifespan. The Johnson County STOP Underage Drinking Project is a coalition whose mission is to eliminate the incidence of underage drinking and related tragedies.

Both organizations address and focus on the education for prevention of the negative consequences and tragedies relating to alcohol abuse, including drunk driving.

This testimony is in support of additional sentencing options/penalties for judges to use to combat drunk driving, such as is outlined in SB 33. By adding options, we can ultimately decrease the risk of repeat offenders and help save lives and prevent injuries caused by drunk driving.

The statistics that represent the victims of drunk driving speak volumes. According to MADD (Mothers Against Drunk Driving), last year (2001) 17,448 people were killed and more than half a million others were injured in crashes involving alcohol. In 2001 in Kansas, there were 494 total traffic deaths, 96 of which were alcohol-related. (*Source: Kansas Accident Records System*) Kansas from 1997 to 2001 has experienced an increase of nine percentage points in their alcohol-related crashes and currently 39% of fatalities are alcohol-related. (*Source: NHTSA, Traffic Safety Digest*) In Johnson County in 2001, there were 495 alcohol-related crashes, 192 of which involved injury, and 4 fatalities. That is 4 lives lost too many. Johnson County ranks fifth in the state on counties with traffic safety problems. (*Source: KS Department of Transportation, Bureau of Traffic Safety and NHTSA, Traffic Safety Digest*)

An alcohol-related crash is devastating enough to a victim's loved ones, but imagine compounding the tragedy, on any level, with the news that the drunk driver is a multiple repeat offender. And too often, the drunk driver *is* a repeat offender.

We know that the numbers are outrageous. We know that one life lost or injured in an alcohol-related crash is too many.

Again, we support legislation that will give judges more options in sentencing DUI offenders and help deter repeat offenders in order to save lives. Just one death from this preventable crime is too many—we must have more options and sanctions to help deter and prevent such acts in the future.

Thank you.

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3-13-03
Attachment 9



**COUNTY COMMISSION
LYON COUNTY COURTHOUSE
430 COMMERCIAL
EMPORIA, KANSAS 66801
TELEPHONE (620) 342-4950
FAX (620) 341-3419**

The Honorable Representative Ward Loyd, Chair
Corrections and Juvenile Justice Committee
Room 526-S, State Capital
Topeka, Kansas 66612

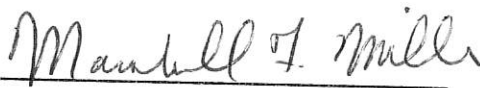
Re: SB 33

Honorable Representative Loyd and Committee Members,

The Lyon County Commission does hereby confirm their support of Senate Bill No. 33, also known as "Casey's Law", introduced by Senator James Barnett.

The Commission unanimously supports the Bill's purpose and intent of granting local governing bodies the authority to adopt stricter vehicle sanctions such as impoundment or immobilization against repeat DUI offenders. Being able to take such action is a tool that some communities and counties in Kansas may use and find helpful in reducing DUI recidivism.

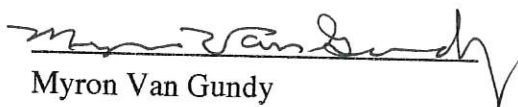
Signed this 22nd of February, 2003.



Marshall F. Miller



Peggy J. Torrens



Myron Van Gundy

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3-13-03
Attachment 10



MADD

Activism | Victim Services | Education

Mothers Against Driving
KANSAS STATE OFFICE
3601 SW 29th St., Suite 211
Topeka, KS 66614
Phone (785)271-7525
1-800-228-6233
Fax (785)271-0797
maddkansas@parod.com

March 11, 2003

Representative Ward Loyd, Chairman
Corrections and Juvenile Justice Committee
State Capital, Room 427S
Topeka, Kansas 66612

Dear Chairman Loyd and Committee Members;

MADD's Public Policy Liaison is unable to testify before the House Corrections and Juvenile Justice Committee regarding Senate Bill 33. MADD would like to submit written testimony in support of Senate Bill 33.

During the year 2001 (the most recent statistics available) Kansas recorded 3,611 alcohol-related motor vehicle crashes involving men, women and children. These crashes resulted in 96 fatalities and 2,508 injuries with societal costs estimated at \$328 million.

More than 20,000 individuals are arrested annually for DUI in Kansas. Approximately 25% of those arrested are repeat offenders. Approximately 12% of DUI arrests of repeat offenders are of offenders driving on a suspended license.

MADD advocates confiscating (or impounding) vehicles or plates from the vehicles of habitual impaired drivers or those who drive while under driver's license suspension or revocation, where the suspension or revocation was the result of driving under the influence or any other alcohol-related driving offense.

MADD supports Senate Bill 33 and asks for your support in passage of this bill.

Sincerely,

Wanda Stewart
State Chairperson
Kansas MADD

H. Corr & J.J.
3-13-03
Attachment 11