

## Testimony of Shawn Stockman

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 the opportunity and time to hear about the proposal of HB 2115, Mija's Law.

My name is Shawn Stockman and have been married to Mija for 18 yrs. We have 3 beautiful girls at ages 20, 16 and 11. I am here to represent Mija in the proposal of this bill because she is physically unable to voice her feelings and tell you all about what has been taken from her.

My family and I have always felt we as a society are very fortunate to have a judicial system. We have always taught our children to follow the rules and if you don't, you get to suffer the consequences. It's that simple! I like to think that worked out for us so far. I must say at this point the judicial system has been as just as the law reads in this case. Unfortunately the particular laws, I feel need to change to fit the crime in this situation.

Dec 20, 2013, Fri. 7:45am. I had just talked to my wife 15 min prior as I usually do before work to pre plan our day which in this case was heading to Colby for Christmas. She asked me how the roads were that day and I told her they were patchy in places and to go with traffic and you'll be fine. She says "I will trust you and I Love you, see you tonight" That's the last words I heard from her. I get a phone call from a friend hearing about a 3 person head on collision with a possible drunk driver, I immediately knew it was Mija. I frantically race to my car and begin calling family to let them know. Worst feeling in the world is when you are in the dark and all you have is your mind racing of what ifs and having to explain the unknown and try and calm down my oldest daughter Eryn and Mother-in-law Kathy while heading to the scene then hospital. As a man and a protector, I had the most helpless and let down feeling when I saw my wife in the ER with all the tubes and machines and workers running around. That still haunts me to this

day! The doctor met us in a room and gave us the news. She has suffered a Severe Traumatic Brain Injury to multiple areas of her brain. He says its a waiting game with no guarantees of recovery. This is when reality set in and it was real!

It has been over 13 months now in her recovery, multiple surgeries and more scheduled. She has done nothing but worked her butt off to get everything she has at this point. She is able to brush her teeth and is beginning to be able to eat more consistently now and sat on the edge of a mat for 25 min the other day. She has poor short term memory and recalls a lot of her past in conversation. Her mother is with her virtually everyday as i have to continue with raising the girls and going on with daily life. It has taken a toll on our relationship as well along with the changes in our lives and changes in our girls. We go to a counselor which helps the transition of learning how to start our new lifestyle. The girls go see Mija and interact best they can but you can see and feel sadness from the reality of she is not who they once knew. Sadly many changes have happened from the Mija we all knew and all from a decision to drive drunk. She/we never asked for any of this and our lives have been changed forever and Mija will have to do therapy every day for the rest of her life and depend on help. Through all of the legal battles and court hearings we found the driver had previously had 3 prior DUI's which unfortunately according to the law now previous actions cannot be used against him in sentencing.

The drunk driver will likely be out of jail in 24months on good behavior and return to the streets walking, talking, eating and most likely driving again drunk as his track record has shown. This is where i feel the justice system failed. The punishment does not fit the crime. With passing of Mija's Law, I know it won't change anything in Mija's case but hopefully it can on further cases.

Can i ask all of you right now to think if something were to happen to your spouse or significant other right now and you were interrupted in this meeting with a devastating phone call can you remember the last things you said or how you last left the house?

Again, I thank the Chair for this opportunity for the proposal of Mija's Law. I am willing to stand for questions.

Thank you, Shawn, Eryn, Brynne & Taylor Stockman