EXHIBIT 11
DATE 1/19/2011
HB 12 & 14

THE
CENTURY
COUNCIL
DISTILLERS FIGHTING DRUNK DRIVING
& UNDERAGE DRINKING

TESTIMONY OF
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President and CEO
The Century Council

SUBMITTED FOR THE RECORD
Joint Hearing of the Senate and House Judiciary Committees
Montana Legislature

January 19, 2011

Chairman Shockley, Chairman Peterson and distinguished members of the Committees, thank you for the opportunity to submit testimony for the record today. As President and CEO of The Century Council, I am pleased to support Senate Bill 15 and House Bills 12 and 14 which we believe will reduce drunk driving in Montana.

The Century Council was founded in 1991 and is an independent, national not-for-profit organization headquartered in Arlington, Virginia. Funded by America's leading distillers (Bacardi U.S.A., Inc.; Beam Global Spirits and Wine, Inc.; Brown-Forman; Constellation Brands, Inc.; DIAGEO; Hood River Distillers, Inc.; Pernod Ricard USA; and Sidney Frank Importing Co., Inc.), The Century Council is dedicated to developing and implementing programs that fight drunk driving and underage drinking. To date, we have hosted more than 2,000 community events to launch our programs across the nation bringing them to millions of parents, youth, educators, law enforcement officials and traffic safety professionals.

An independent Advisory Board comprised of distinguished leaders in business, government, education, medicine and other relevant disciplines assists The Century Council in its development of programs and policies. Additionally, The Century Council maintains advisory panels in the areas of education and traffic safety that provide related guidance.

Reducing Hardcore Drunk Driving

Responding to a growing body of research that points to repeat offenders and hardcore drunk drivers as the source of a large and disproportionate share of highway crashes, in 1997 The Century Council created The National Hardcore Drunk Driver Project. The Project serves as a single, comprehensive resource to assist state legislators as well as highway safety officials, law

enforcement officers, judges, prosecutors, community activists and treatment professionals in developing programs to reduce hardcore drunk driving.

The Century Council, along with the National Transportation Safety Board, AAA and the National District Attorneys Association, comprise the Coalition to Fight Hardcore Drunk Driving that supports state legislative proposals to enact comprehensive and effective solutions to the hardcore drunk driving problem. We are very pleased to offer our support and assistance to you in your efforts.

Additionally, The Century Council is working to educate the judicial branch on hardcore drunk driving. DWI cases are among the most complex cases to adjudicate. *The Hardcore Drunk Driving Judicial Guide*, our partnership with the National Association of State Judicial Educators and the National Judicial College, provides a resource for judges and judicial educators with strategies and tactics to identify and sentence hardcore drunk drivers. We have trained approximately 4,000 judges in more than 30 states. The Century Council has also now published *The Hardcore Drunk Driving Prosecutorial Guide,* which serves to assist prosecutors in the creation and implementation of a multi-disciplinary team approach to the disposition of hardcore drunk driving offenses. We have recently expanded this project to assist our nation's probation and parole officials with training on hardcore drunk driving.

Impact of Hardcore Drunk Drivers

Hardcore drunk drivers are those who drive with a high blood alcohol concentration (BAC) of 0.15 or above, who do so repeatedly, as demonstrated by having more than one drunk driving arrest, and who are highly resistant to changing their behavior despite previous sanctions, treatment or education efforts. They are overrepresented in alcohol-impaired traffic fatalities. In fact, in Montana, 72% of the alcohol-impaired driving fatalities involved a driver with a BAC of 0.15 or higher according to 2009 fatal crash data from the National Highway Traffic Safety Administration.

Therefore, The Century Council strongly supports Senate Bill 15 which establishes the offense of aggravated DUI and we recommend lowering the high BAC limit from 0.20 to 0.15. The Century Council also supports House Bill 12 which extends the maximum possible jail sentence for certain DUI offenders, and House Bill 14 which eliminates the five-year look back period, making it lifetime for the purposes of license suspension and sentencing upon conviction of DUI.

Based on our research, we believe that strong laws enabling swift identification, certain punishment and effective treatment are critical fundamental elements necessary to reduce the incidence of hardcore drunk driving. Further, we believe that these elements must be coordinated into a statewide system to be effective in this fight.

Conclusion

While Montana has made significant progress in the fight against drunk driving, laws designed to provide a comprehensive system should be a legislative priority. The Century Council thanks you for your leadership in this effort and stands ready to assist you in this important endeavor, which will ultimately save lives in Montana. Please visit our website for more information on hardcore drunk driving at www.centurycouncil.org. Thank you.