

MCSC: The Voice of Montana's DUI Victims

HB 275 Extend Felony DUI Penalty

Repeat DUI offenders are a clear and present danger on our highways. To be convicted of felony DUI the offender has 4 DUI convictions. Often there were other DUI arrests which did not result in a conviction. The most conservative statistics tell us this person has driven impaired over 500 times. We must keep these offenders SOBER!!

Felony DUI offenders are eligible for the WATCH treatment program which is effective in detoxification and helping the offender change behavior and thinking. During the community monitoring phase of the sentence WATCH graduates are usually successful in staying clean and sober. However with the maximum 13 month sentence some offenders do not have enough time left after sitting in jail awaiting sentence to qualify for the WATCH program.

Our judges should have the choice of extending supervision for a longer period for offenders at higher risk.

Please don't choke on the fiscal note. This assumes that every convicted felony DUI offender will receive the maximum penalty. In my court monitoring in Flathead County 23% of felony DUI offenders were sentenced to less than 3 years and only 15% were sentenced to the full 5 years. The 5 year sentences were usually cases where the arrest was associated with other crimes or the offender had previous felony DUI convictions. There is one offender who has 17 DUI convictions, is completing his most recent 5 year suspended sentence, and is drinking and driving again.

Please consider the cost to our state of having these repeat offenders driving drunk on our highways. The National Highway Traffic Safety Administration estimates the cost of a highway death at \$6,000,000. That is more than the fiscal note cost estimate for FY 2017. If we save only one life per year we have paid the bill.

Driving under the Influence Kills!

The Montana *Common Sense* Coalition

The Coalition is made up of volunteers and receives no public funding to support its efforts.