

House Bill 300

Good morning Mr. Chairman, members of the committee. Thank you for the opportunity to speak to you as a proponent of HB300. My name is Joan Sherman. I am a rural mail carrier and rancher in Lake County. My husband, Russell Sherman and I are life-long residents of Ronan, MT.

In 2007, we pushed for tougher legislation dealing with hit and run incidences after our daughter, Jami, was killed by a hit and run driver. Her body was drug underneath the car for 120 feet and left dead on the road while the driver and two passengers fled the scene. The driver and passengers were apprehended 30 days later as a result of a tip to crime-stoppers.

Lake County sheriff, Lucky Larson, estimated that his department had devoted 2700 hours to try to solve this hit and run case. This does not include the reserve officers' time or off-duty hours as well as many friends and neighbors' time and devotion. This was a tremendous drain on manpower and resources.

At the Justice Court hearing, we learned the driver could only be charged with a misdemeanor under the current state law. Because of this, we contacted then state Senator John Brueggeman to sponsor a bill changing the law to a felony. That bill was signed into law in April of 2007 by Governor Schweitzer.

When a driver flees the scene of an accident where someone is killed or severely injured, it is a felony. There is currently no law that says passengers, who witness this type of action, are required to report the incident if the driver fails to do so. Is this not allowing the driver to avoid prosecution for the actions he chose to take? Shouldn't the passengers also be required to aid the victim or notify emergency personnel in order to render aid to the victim?

We will never know why they left Jami dead on the road.

We asked House District 12 Representative Dan Salomon to introduce legislation to address passenger's accountability to come forth with information for hit and runs when a death or serious bodily injury has occurred. We are asking for your support in passing this bill.

Thank you,

Russell and Joan Sherman