

**House Bill 1381**  
**Accidents Resulting In Death – Mandatory Drug and Alcohol Testing**

On 8-20-17 my son Joseph was killed as he walked across our neighbors property with his 10 year old son and 12 year old daughter. The driver, a 57 year old woman, veered off the road striking a mailbox, she then drove across the grass and hit my son. She then drove to the shoulder of the opposite lane, back into her lane, striking 2 more mailboxes. She traveled over 400 feet, flying up an embankment, where her vehicle was then disabled. My son was thrown 56 feet. The imprint of his jeans was on her hood. He had massive injuries, compound fractures, and both feet were almost completely severed. A puddle of blood next to his head. This is the last memory his children have of their father. His children are now left without a father, and the horrific image of him being run down and killed right in front of them.

Months later we were completely shocked to learn that she had not been arrested or charged with anything at all for hitting and killing Joey. We were informed that she did not “appear to be impaired” and therefore no type of drug or impairment test was conducted. She had refused medical treatment at the scene and simply went home. Eleven months after killing my son, she was arrested and charged with driving under the influence of drugs and possession of cocaine.

With just days to go before the statute of limitations expired, she was charged for hitting and killing Joey. For killing my son, she was charged with criminal negligent manslaughter by vehicle, a misdemeanor punishable by three years. A witness came forward and testified before the grand jury in our case that the driver had been up all night, doing drugs, and impaired the morning she hit Joey. In a plea deal, both of her cases (negligent manslaughter, and driving under the influence & possession) were combined. Because we could not go back and prove what she had in her system at the time of the accident, she received only a \$500 fine for killing Joey. For the unrelated driving under the influence & possession charges, she received two years with one year suspended. She ending up serving seven months total for both cases.

While trying to explain to Joey's children that the driver has rights, his daughter (my granddaughter) made a statement I will never forget. She said her daddy should have a final right, a right to know why he died. To know if the driver was impaired. House Bill 1381 will help ensure that right.

During a traumatic event such as a vehicular fatality, people react differently, and it can be difficult to determine if an individual is high, intoxicated or just in shock. This bill would allow for testing, which will either prove or exonerate an individual from driving impaired. This would alleviate officers, on an already chaotic scene, from the responsibility of determining whether or not an individual is impaired.

I am presenting this statement in support of HB1381, for mandatory drug and alcohol testing for accidents resulting in death.

Sincerely,  
Dawn Meiklejohn