



**Representative Diane V. Grendell**

Ohio's 76<sup>th</sup> District

Chairman LaRe, Vice Chair White, Ranking Member Leland, and members of the Criminal Justice Committee,

Thank you for the opportunity to testify on House Bill 640, "Bentley's Law: Justice for Children Victimized by Drunk Drivers." Under House Bill 640, if a defendant is convicted of an OVI-related aggravated vehicular homicide where the victim's death was proximately caused by an individual operating a vehicle while

intoxicated, and the victim was the parent, legal custodian, or guardian of a surviving minor child, then the sentencing court must order the defendant pay restitution in the form of child maintenance until the child reaches the age of 18. The parent-child relationship is perhaps the most important, influential, and cherished relationship in our society. A parent is a teacher, a guider, a role model, and a loving figure for their child. Children need structure, guidance, support, warmth, and love. The death of a parent is an incredibly stressful event for a child, and one that can have profound consequences for the child's future wellbeing. Given the negative long-term effects associated with parental death, it is imperative that we help the children of these victims, which is why I have

introduced this bill. It is time to stand up for victims and help the families experiencing such a tragic and senseless loss of life. With ride sharing options such as Uber and Lyft readily available at the touch of a button, there is absolutely no excuse for an individual to get behind the wheel of a car while intoxicated. In a world where it is easier and more convenient than ever to avoid driving under the influence, we should be doing everything we can to deter this behavior. The children did not ask to lose their parents, and will suffer emotionally and financially as a result of this destructive decision. Drunk driving comes with a cost, and it is one that robs real people of mothers, fathers, sisters, brothers, and spouses. While we can never replace a parent, we can help relieve the

children of the financial burden that comes with their loss. With all my heart, I believe this bill will provide a strong deterrent to help prevent future victims.

According to recent studies, 28 people are killed in drunk driving car accidents every day in the United States alone, which equates to about 10,000 people killed by drunk drivers annually in the U.S. Additionally, according to Mothers against Drunk Driving (MADD), drunk driving is still the number one cause of death on our roadways. Two out of three people will be impacted by a drunk driving crash in their lifetime, and statistics from the Ohio State Highway Patrol show that last year there were 13,136 OVI-related highway crashes in Ohio, causing 685 deaths.

The impact of losing a parent, especially in such an unexpected and preventable accident, is lasting. Recent studies show that in addition to the loss and heartbreak that comes with these unexpected deaths, losing a parent can effect educational attainment. Children who experience the death of at least one parent before the age of seventeen are less likely to continue their education past high school. Young people who lost a parent during their childhood or teen years are at higher risk for poor academic performance during primary and secondary school, and therefore, are 40% less likely to qualify for college. When an increase in stress and anxiety causes children to fail to continue their schooling past secondary levels, it can have lasting effects on their income and

quality of life well into adulthood. All of these challenges make it more difficult for the child of the victim to succeed. These support payments will increase the probability of children staying in school. The added financial burden will be placed where it belongs, with the drunk driver.

The struggles do not end after the funeral ceremony is held, they continue on for years to come. In some families, that means increased pressures for the grieving child to take on responsibilities of the dead parent and to isolate from friends. In others, the death of their parent will result in poor psychological well-being and changes in behavior. However, simply pointing out these facts out and acknowledging how avoidable drunk driving is today

is not enough. Currently, the only remedy for a family to receive any compensation is to endure an ensuing civil trial after the criminal matter has been settled. This can be a difficult, lengthy expensive, and traumatic experience. Trials take time and attorneys cost money. While nothing in this bill prevents a family from pursuing a civil trial, these families have already been through enough.

In conclusion, House Bill 640 will provide a swift and just resolution for the victims and provide added deterrence to the act of drunk driving. This bill passed the Tennessee House and Senate unanimously. Let's help our children.

Thank you for the opportunity to provide testimony on behalf of House Bill 640. I will gladly answer any questions the committee members may have.