

One of the hardest conversations that we have had since losing Olivia was the one where we sat down with the prosecutor wherein, he explained to us the posture of the state of Ohio towards the man that killed our daughter. It was in this same conversation that we learned the details of the events that unfolded that night, and we also had to settle in our hearts that even if the maximum penalties were assessed according to the current laws of the state of Ohio there would be no justice for Liv.

It was during this conversation that we learned just exactly how drunk the man actually was that killed Olivia, that he was almost three times the legal limit, that he was charged with an OVI in 2014 where he pled guilty with counsel, just exactly how grossly negligent he was the night that he killed Olivia, and exactly how the state of Ohio was going to treat him.

The man that killed our daughter drank to the point of blackouts before he got into his truck that night, and he crashed his truck multiple times en-route to killing our daughter. He drove straight through a round-a-bout, crashed into a parked car, and then went on to hit a tree before killing Olivia less than a mile later. And each time that he started his truck back up and put it back on the road he did not care whose life he was putting at risk. And as he drove, he drank until he blacked out completely losing consciousness going left of center and giving Olivia two seconds to react, and by the end of that conversation we realized there would be no justice for our daughter, and it was at this point that we picked up the phone and called Representative Mark Johnson.

One of the things that we discussed at length with Representative Johnson, and later Representative Miller, was how lacking OVI laws are in the state of Ohio compared to other states. And how the current enhancement structure in the state of Ohio is amongst the weakest in the nation. We discussed how repeat OVI offenders are grossly negligent and how when they kill people, they should be held accountable for that negligence.

Currently in the state of Ohio you are allowed three OVI's, three OVI Homicides, three OVI involuntary manslaughter convictions, or three OVI vehicular assaults or a combination of three of any of these before the state of Ohio considers you to be worthy of a harsher penalty. House Bill 37 says if you have committed any of these offenses even once and then turn around and kill someone then the state of Ohio is going to hold you accountable for your negligence.

Ohio is 49th strictest in the nation when it comes to addressing and preventing drunk driving. In the state of California under the Watson Admonition a repeat offender who kills someone will be charged with Second Degree Aggravated Vehicular Murder. And both Colorado, where you can be charged with First

Degree Murder, and North Dakota allow for life sentences while the state of Alaska is at 99 years; but the state of Ohio allows for three offenses before we get serious about stopping repeat offenders from killing people; and even then, the current sentence structure is light with respect to justice.

A repeat offender is 4 times more likely to be involved in a fatal crash than a first-time offender. And it has been proven that repeat offenders drink more and have higher BAC's than your average first time offender, and higher BAC's are a contributing factor in 70% of all OVI related fatalities.

According to the Ohio State Highway Patrol Statistical Analysis Unit right now in the state of Ohio on average 40% of all OVI offenders which is an average of 14,847 offenders a year that are repeat offenders. This is 10.5 percentage points higher than a 22 state average of 29.5% reported by the NHTSA. The state of Ohio department of Public Safety keeps a record of 5 time repeat OVI offenders in the state of Ohio, and right now there are more than 5000 people on that registry; and of them more than 1800 are 10 time offenders or more.

Additionally, House Bill 37 increases the fines for Aggravated Vehicular Homicide to \$25,000.00. Simply put the current fine structure is in no way commensurate with the financial burdens placed on the state of Ohio or the victim's families and an adjustment needs to be made. This for us is not about the money, but at a point it needs to be discussed. The man that killed our daughter was uninsured which between funeral expenses, loss of property, and legal expenses it cost us \$67,000.00 which was a hard pill to swallow knowing the maximum fine for the state of Ohio is a mere \$15,000.00.

Having lost Olivia to a drunk driver has completely destroyed our family to its core, and it is a scene that plays out across the state of Ohio far too often. The man that killed our daughter has had his day in court and we must respect the decision handed down by the court but that does not mean that it was a just decision.

Liv's Law, House Bill 37, will send a strong message to all OVI offenders in the state of Ohio. House Bill 37 says that if you drink and drive again and kill someone that Ohio is a one strike state and you will be held accountable, and it will serve as a deterrent for those that did not learn their lesson the first time. Tougher laws have been proven to work and House Bill 37 will make a difference in the fight against this 100% preventable crime, it will give victims and victim survivors the justice they deserve, and it will save lives.

We would like to ask you to support House Bill 37 as it goes through the committee process, and we would like to thank you for giving us an opportunity to testify today.