

PUBLIC COMMENTS

HB 3598

HOUSE COMMITTEE ON CORRECTIONS

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Hearing Date: April 14, 2021 8:00 AM

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Melinda (Mindy) Red

Self

Angleton, TX

My daughter Michelle was 18 years old when she was killed by an impaired driver. The driver who had been out at a local bar drinking most of the night lost control after hitting a curb while speeding hitting the car Michelle was a passenger in head on. Michelle was killed at the scene. Michelle left behind a brother and a sister. She also had a son who was 2 years old. He never had a chance to know his mom.

The impaired driver bonded out shortly after the crash and continued to work and visit her family while my family planned a funeral and contacted loved ones to tell them the news. She continued her life while we met with lawyers, the district attorney's office and local advocate groups. At the first hearing, Michelle's name was barely said. She was a case number, a docket and a job to most. She was made to be inhuman. They attempted to put Michelle on trial for being an innocent victim that was not here to defend herself. We went through this for 13 months. We were continually warned how they would make Michelle out as the bad guy to keep the accused out of prison or to get little time to probation. We were told if we went to trial, she may not serve 1 day in prison. We spent 13 months of being Michelle's voice, missing work, spending money on extra lawyers to attempt to make sure my daughter would get justice. The accused had a minimal criminal background and her first time taking a life by this crime. We were told this could help her. These court hearings are exhausting, stressful and demeaning to family members of these crimes. We wait sometimes years to even see our day in court. Sometimes, not even allowed to tell the court the type of person our loved was that was taken away. Michelle deserved a voice and her life mattered.

There is no closure to the violent crime. The woman that killed my daughter accepted a plea deal after dragging it out for 13 months. She spent 5 years in prison. She served 5 years for taking a life. The sad fact was, with the laws the way they are, we were pleased with 5 years. We were warned that without the aggravated charge added, she would not serve 5 years. She would be up for parole after possibly 6 months. Families deserve justice for their loved ones taken by this crime! They deserve time to heal without having to worry if the accused will take another innocent life! This violent crime should carry certain penalties without leniency. There should be penalties that show these offenders that this crime is not a joke and we as Texans are tired of leading the nation for this crime. A judge should not be allowed to have sympathy and give less time! The sympathy should go to the victim and their family members!

Thank you for your time!

Cindy Nitzsche

self

DEER PARK, TX

HB3598 is a very good bill. I ask the Committee to vote yes to forwarding the bill on for further actions.

Texas leads the nation (and Harris County leads the state) in alcohol related traffic deaths. These are not accidents; they are crashes. The driver chose to drink and drive. I have paid particular attention to the carnage caused by drunk driving since December 29, 2009 when my daughter was murdered (yes, murdered) by a drunk driver. The number of drunk driving deaths in Texas is mind boggling. Something must be done. This bill is good in that it creates additional penalties which may deter people from making the choice to drink and drive. This bill is good in that it reduces a liberal judge's ability/discretion to soften the penalty with a bleeding heart. Due to the high death toll on Texas roadways by drunk drivers, we simply MUST do something, anything, to try to save lives and reduce those numbers. No family should be forced to endure the pain of losing a loved one to this violent crime; a crime which is completely preventable. We must do more to prevent drunk driving deaths. Death due to drunk driving is the only socially acceptable form of murder. We must change that. Please vote this bill out of committee. Thank

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you for your consideration.

Karen Page

Myself

San Angelo, TX

I humbly request you do NOT support this bill. Texas does not need to increase 'mandatory minimums' nor add any other provisions. This bill would only increase the hurt to victims of the crime but also the families of those charged. NO MORE Felonies should be added. It will also increase the population of our County Jails and TDCJ and increase the financial burden to the taxpayers of Texas. NO MORE!

Amanda Perkins

self

Arlington, TX

I knew Lauren Davis from the time she was in Kindergarten. She was a sincere, funny, generous, family oriented, Christian woman. Her and her husband, CJ, had their young lives taken by a drunk driver who has faced no long term consequences. If a person can make the willing choice to drink and drive, and kills someone as a result of that choice, they should face equally serious consequences of that action. The driver who killed Lauren & CJ gets to walk free while we are forever affected. There is no justice in an impaired driver taking two lives and not serving extended prison time. I strongly urge you to pass this bill in support of the Benthall/Davis family as well as the families of all others affected by drunk drivers. Do what's right for victims of drunk driving.

Jaclyn Elliott

Self

Houston, TX

Hello Committee Members, Thank you for allowing citizens to weigh in their opinions. I encourage the committee to vote YES to moving this bill out of committee. Texas leads the nation in DWI related deaths, and Harris County leads the state with the most deaths. Voting YES to HB 3598 will increase mandatory prison time. I have hopes that stronger sentencing will reduce people from drinking and driving at all.

Tina Good

Self

Amarillo, TX

Lives taken due to a drunk driver should have a mandatory prison time. The driver made the choice to get behind the wheel. There are many ways a person can get home. They knew they would be drinking and arrangements can be made even ahead of time. My niece and her husband had a bright future. Their family will forever grieve their loss. To not have prison time at all due to human error is unacceptable. Laws need to be put in place to require prison time even if human error has occurred.

Kayla Kellner

Self

Arlington, TX

I firmly believe and support HB 3598 being passed into law. There are no words to accurately describe the pain and trauma caused by injustices which are currently allowed in the state of Texas regarding intoxication manslaughter cases. It is DISGUSTING that in Texas, a person who is intoxicated can drive into two innocent citizens crossing on a crosswalk, which results in their lives VIOLENTLY ending, and only receive a couple of months in jail. Where is the justice for the victims? Where

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is the justice for the victim's family? Why does a man who pled guilty to TWO counts of intoxicated manslaughter get to spend holidays with his family every year, when the TWO INNOCENT people he killed are buried? Texas, we MUST do better to protect your citizens.

Jordan Kellner

Myself

Arlington, TX

The justice system has let its guards down and has let guilty individuals walk free after taking the lives of innocent civilians. I feel the minimum term needs to be increased as the current laws are too lax on the issue.

Geraldine Stjohn

Residents of Texas

Arlington, TX

Thank you for your hard work to present this Bill before the house.

Hearing Date: April 7, 2021 8:00 AM

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Karen Page

Retired - Education Service Center Region 15

San Angelo, TX

I respectfully ask that you vote AGAINST