

**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2022**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 1867, RELATING TO HOMICIDE.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Tuesday, February 8, 2022                      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325, Via Videoconference

**TESTIFIER(S):** Holly T. Shikada, Attorney General, or  
Michelle M.L. Puu, Deputy Attorney General

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Chair Nakashima and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of this bill but has significant legal and policy concerns regarding this bill.

This bill seeks to: (1) change the name of the offense of "negligent homicide" to "vehicular homicide," (2) explicitly define "under the influence of drugs or alcohol" as it relates to the offense of vehicular homicide in the first degree, (3) recategorize the penalties for each degree of the offense of vehicular homicide to the next highest level of severity, (4) prohibit any prosecutor from dismissing a charge of vehicular homicide in the first degree for any reason other than lack of probable cause, (5) require defendants charged with vehicular homicide in the first degree to assert an affirmative defense when seeking to establish that the concentration of alcohol of .08% or more in their system was consumed after the vehicle had stopped, and (6) require that an individual convicted of vehicular homicide in the first degree be sentenced to a 20-year term of imprisonment without the possibility of suspension of sentence or probation.

The Department notes that the bill's current proposed definition of "under the influence of drugs or alcohol," found on page 10, lines 6-13, is not consistent with the definition of "under the influence" found in section 291E-1, Hawaii Revised Statutes ("HRS"). Chapter 291E, HRS, makes no mention of a chemical, poison, organic solvent, or any compound or combination thereof. The definition under section 291E-1, HRS, also includes that "a person is under the influence of alcohol in an amount

sufficient to impair the person's normal mental faculties or ability to care for the person and guard against casualty" in addition to having a concentration of alcohol of .08 per cent or more in blood or breath. Further, under section 291E-1, HRS, a person under the influence of a drug means "a person who is under the influence of any drug that impairs the person's ability to operate the vehicle in a careful and prudent manner[,]" which differs from the wording in the bill on page 10, lines 11-13. For consistency in prosecution across all cases involving intoxication, including vehicular homicide charges, we recommend the definition in this bill be consistent with the definitions provided in section 291E-1, HRS.

Additionally, the proposed recategorization of penalties for these offenses in this bill appears to create irregularities within the criminal code. The culpability for criminal conduct is determined by examining the perceived state of mind that produced the action or result. Conduct that is intentional or knowing is assigned a higher level of criminal culpability than conduct perceived as not purposeful (i.e., reckless or negligent). Conduct that is reckless is assigned a higher level of criminal culpability than negligent conduct. Manslaughter, a class A felony, occurs when one recklessly causes the death of another. Here, the bill seeks to assign the same level of culpability to a negligent cause of death - "[v]ehicular homicide in the first degree." See page 12, lines 9-10. The recategorization in the bill will also assign felony level culpability to acts of simple negligence - "[v]ehicular homicide in the third degree." See page 14, lines 12-13. Currently, such conduct constitutes a misdemeanor offense. With the change proposed in this bill, any individual who causes the death of another while driving with simple negligence could be charged with a class C felony.

Also, mandatory prison terms are not required for a myriad of felony offenses: Manslaughter, Assault, Terroristic Threatening, Reckless Endangering, Unlawful Imprisonment, Custodial Interference, Extortion, Abuse of a Family or Household Member, Escape, Hindering Prosecution, Intimidating a Witness, the vast majority of Property offenses, certain levels of Sexual Assault, Promoting Child Abuse, Labor Trafficking, Human Trafficking, and Kidnapping. A mandatory 20-year prison term for vehicular homicide in the first degree would be incongruent with the remainder of the

criminal code. More specifically, one who negligently causes the death of another should not automatically sustain a harsher penalty than one who recklessly causes the death of another.

Finally, criminal cases are plea bargained by prosecutors for a variety of reasons. New evidence may come to light that undermines the appropriateness of the charge (eg. involuntary intoxication, mechanical issues). In any case, the basic bill of rights for victims and witnesses requires prosecutors to consult with surviving immediate family members about any plea bargaining. See section 801D-4, HRS. Plea bargains on cases of this stature are not evaluated unilaterally by one prosecutor. Such decisions are deliberated by several prosecutors in full consideration of any input derived from the family. Prosecutorial discretion on case resolution should not be limited on any crime in the penal code.

For the foregoing reasons, we respectfully ask the Committee to hold this bill. If the Committee chooses to move it forward instead, we would ask that it be amended as follows: amend page 10, lines 6-13, as described in the third paragraph herein, and delete provisions of this bill located at page 10, lines 14-18 (prosecutorial discretion), page 12, lines 10-12 (mandatory prison term); page 12, lines 9-10, page 13, lines 4-5, and page 14, lines 12-13 (reategorization of penalties for these offenses).

Thank you for the opportunity to provide these comments.

STATE OF HAWAI‘I  
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,  
State of Hawai‘i to the Senate Committee  
On Judiciary and Hawaiian Affairs**

February 8, 2022

H.B. No. 1867: RELATING TO HOMICIDE

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Office of the Public Defender respectfully opposes H.B. No. 1867, which seeks the following: rename “Negligent Homicide” to “Vehicular Homicide”; elevate Vehicular Homicide 1st Degree to a Class A felony *without* the possibility of probation, Vehicular Homicide 2nd Degree to a Class B felony, and Vehicular Homicide 3rd Degree to a Class C felony; denying the Defendant the right to raise the defense that alcohol was consumed post-accident in certain situations; and prohibit the prosecution from dismissing or reducing a charge in a plea deal for any reason unless the charge is not supported by probable cause or cannot be proven beyond a reasonable doubt at trial.

**Vehicular Homicide 2nd and 3rd Degree**

Negligent (Vehicular) Homicide cases are often the most difficult cases for all parties involved. The sudden, unexpected death of a loved one is a tragic event that impacts the survivors for life. While all negligent homicide cases are, by definition, unintentional, many of them simply could have been avoided if drivers had exercised better caution or drove with due care. On the other hand, there are just as many negligent homicide cases that are at their core, *just accidents*.

At some point, everyone who has ever driven a motor vehicle has faced some form of distraction. A driver looking into the bright sun in the early morning; a driver taking their eyes off the road while changing the radio station; a driver spilling a drink on themselves; a driver distracted by passengers in the rear seat of the car; a driver facing exhaustion after working two full-time shifts; a sleep-deprived college student on his way home at 2:00 a.m. from the library; an elderly driver who should have had their license taken away; a driver who simply did not see but should have seen the car in the lane that he/she moved into; are all examples of situations that drivers have faced at some point in their lives. Thankfully, drivers who faced these

types of distractions (and arguably drove negligently) were able to do so without incident. At the same time, many similar situations can take a turn for the worst. Accidents can occur in a blink of an eye and tragic accidents can happen to anyone who operates a vehicle. It is essential that our laws recognize this. Negligent Homicide in the Third Degree is currently a misdemeanor offense and is punishable by up to one year in jail. Negligent Homicide in the Second Degree is currently a class C felony offense and is punishable by up to 5 years in prison. As it stands, penalties for both these laws should remain as they are appropriate potential punishments for purely accidental driving incidents involving no intentional or reckless conduct. Thus, we oppose elevating the penalties for these offenses

### **Vehicular Homicide 1st Degree**

Proponents of this bill claim an “ambiguity” between the current Manslaughter and Negligent Homicide statutes exists in prosecuting crimes involving vehicular-related deaths. They claim *all* crimes involving vehicular deaths can be prosecuted under either statute, yet Manslaughter is a Class A felony and Negligent Homicide is only a Class B felony. Three recent pedestrian death cases were cited where prosecutors charged the operators of vehicles with Negligent Homicide (Class B felony) rather than Manslaughter (Class A felony). The bill seeks to remedy this perceived discrepancy by making the changes outlined in the first paragraph above. We disagree.

First, there is no ambiguity between our Manslaughter and Negligent Homicide laws, especially when it comes to prosecution of crimes involving driving and death. While it is true that traffic death cases can be prosecuted under either statute, both laws are clearly distinguishable based on the *mens rea* or state of mind of each crime. In general, there are four separate states of mind in criminal law: intentional, knowing, reckless, and negligent. The crime of Murder for instance, requires an “intentional” or “knowing” state of mind. Manslaughter requires a “reckless” state of mind and Negligent Homicide requires a “negligent” state of mind. Our penal code sets forth penalties based on the requisite state of mind – the most serious being Murder (life in prison with the possibility of parole), Manslaughter (20 years in prison with the possibility of probation), and Negligent Homicide (10 years in prison with the possibility of probation).

The problem with this bill if passed into law is that it mandates an overly harsh, 20-year prison term for someone who acted negligently. Negligence under Hawai‘i law can define a situation where a person never intended to cause harm, but rather, that

person simply “should have known” better.<sup>1</sup> Any person who commits a negligent act does not deserve a mandatory 20-year prison term *without* the possibility of probation.

Manslaughter, on the other hand, requires “reckless” conduct which is one step above that of negligent conduct. A reckless state of mind requires a higher level of awareness than negligence and is defined as a conscious disregard of a substantial and unjustifiable risk that one’s conduct cause a particular result.<sup>2</sup>

In crimes involving traffic-related death, a Manslaughter charge would require that the driver knew (rather than should have known) that there was a high likelihood that his conduct (driving) would cause death. Driving down a crowded street during the middle of the day at a high rate of speed while under the influence of alcohol would certainly constitute reckless conduct if the driver crashed into a pedestrian and killed them. In such a case, a Manslaughter conviction would be likely and a 20-year prison term seems warranted based on that person’s conduct and state of mind (awareness); such an individual knew there was a high risk that his or her conduct would cause a particular result and still chose to engage in the conduct.

In contrast, a person who drove after consuming a couple of alcoholic beverages (with a blood alcohol content at 0.08) and accidentally struck a pedestrian in an unmarked crosswalk at night, may be guilty of Negligent Homicide. In this case, a 10 year maximum term of imprisonment seems more appropriate than a mandatory 20 year prison term. The driver never intended to cause harm, didn’t speed or drive recklessly, but *should* have known not to drive after consuming alcohol. Thus, the crimes of Manslaughter and Negligent Homicide are separate and distinct based on different states of mind – reckless vs. negligent. The penalties for each crime are proscribed accordingly – “A” vs. “B” felony.

### **Restriction to Present a Defense**

The proposed bill also aims to preclude defendants charged with Vehicular Homicide from raising a defense in certain situations. This provision, which establishes an affirmative defense that a defendant consumed alcohol after operating

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<sup>1</sup> HRS 702-206(4)(c) states a person acts negligently with respect to a result of his conduct when he should be aware of a substantial and unjustifiable risk that his conduct will cause such a result.

<sup>2</sup> HRS 702-206(3)(c) states A person acts recklessly with respect to a result of his conduct when he consciously disregards a substantial and unjustifiable risk that his conduct will cause such a result.

a motor vehicle, is simply unconstitutional. One cannot prevent the defense from raising this defense because the defendant is also charged with violating other crimes (HRS §§ 291C-12 or 291C-12.5) in the same incident or because the defendant refused to submit to blood alcohol testing.

The due process guarantees of the Hawai‘i Constitution serve “to protect the right of an accused in a criminal case to a fundamentally fair trial,” and “*[c]entral to the protections of due process is the right to be accorded ‘a meaningful opportunity to present a complete defense.’*” *State v. Tetu*, 139 Hawai‘i 207, 219, 386 P.3d 844, 856 (2016); *State v. Matafeo*, 71 Haw. 183, 185, 787 P.2d 671, 672 (1990) (quoting *California v. Trombetta*, 467 U.S. 479, 485, 104 S.Ct. 2528, 81 L.Ed.2d 413 (1984)). Therefore, any restriction on a defendant to present evidence that they consumed alcohol or any other intoxicant after an accident will be a violation of their right to present a defense guaranteed to them by the United States Constitution and the Hawai‘i Constitution.

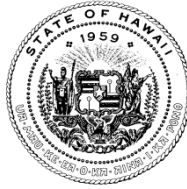
### **Prosecution Discretion**

Achieving a fair and just result under the unique facts and circumstances of each vehicle-related homicide case will often involve the prosecuting attorney consulting with the victims’ surviving family members and seeking their input on what they believe is a fair and just sentence. The Office of the Public Defender can attest to many instances where victims’ families sought out “justice” yet displayed compassion and forgiveness, despite the tragic loss of loved ones. Many plea agreements have been entered into in this respect.

In other situations, plea agreements benefit family members by offering swift resolution, finality, and closure. If prosecutors are barred from entering into these plea agreements, many cases will be continued over a prolonged period of time as parties prepare for trial and resolution, finality, and closure is delayed as well. This change in the law will lead to more jury-trials, court backlog, and will have a negative impact on the court’s ability to administer justice.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE  
GOVERNOR



**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
ROSS M. HIGASHI  
EDUARDO P. MANGLALLAN  
PATRICK H. MCCAIN  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 8, 2022  
2:00 P.M.  
State Capitol, Teleconference

**H.B. 1867**  
**RELATING TO HOMICIDE**

House Committee on Judiciary & Hawaiian Affairs

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The Department of Transportation (DOT) **supports** H.B. 1867, relating to homicide. This bill changes the name of the offense of negligent homicide to vehicular homicide and recategorizes the penalties for each of the three degrees of the offense to the next highest level. This measure establishes that a person who has been convicted of vehicular homicide in the first degree shall be sentenced without the possibility of suspension of sentence or probation and prohibits the prosecution from dismissing a charge of vehicle homicide in the first degree in exchange for a defendant's agreement to a change of plea on a lesser charge.

In Hawaii, impaired drivers are responsible for approximately half of all motor vehicle fatalities. Increased penalties will hopefully lead to a reduction in impaired drivers who put all roadway users at risk.

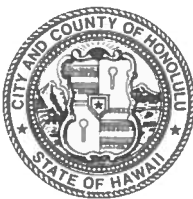
Additionally, this bill may finally bring justice to families who lost loved ones due to those who choose to drive while impaired.

Thank you for the opportunity to provide testimony.



POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



RICK BLANGIARDI  
MAYOR

RADE K. VANIC  
INTERIM CHIEF

OUR REFERENCE

JS-LC

February 8, 2022

The Honorable Mark M. Nakashima, Chair  
and Members  
Committee on Judiciary  
and Hawaiian Affairs  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Nakashima and Members:

SUBJECT: House Bill No. 1867, Relating to Homicide

I am James Slayter, Acting Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1867, Relating to Homicide.

The HPD supports the proposal to change the name of the offense of negligent homicide to vehicular homicide. The term negligent can sometimes desensitize the community and cause them to minimize the devastation caused by these fatal collisions.


In addition, this bill will also reclassify the penalty categories for each of the three degrees of the offense to the next highest level of severity. Stricter penalties could help deter would-be offenders from driving recklessly. Any measure that could deter or prevent these senseless tragedies should be considered.

The Honorable Mark M. Nakashima, Chair  
and Members  
February 8, 2022  
Page 2


The HPD urges you to support House Bill No. 1867, Relating to Homicide.

Thank you for the opportunity to testify.

Sincerely,

  
James Slayter, Acting Major  
Traffic Division

APPROVED:

  
for Rade K. Vanic  
Interim Chief of Police

**Erik K. Abe**  
**55 South Kukui Street, #1606**  
**Honolulu, Hawaii. 96813**  
**Ph. (808) 537-3081. Cell: (808) 537-3081**

**TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS**  
**TUESDAY, MARCH 2, 2021; 2:00 P.M.**  
**STATE CAPITOL, CONFERENCE ROOM 325**

**RE: HOUSE BILL NO. 1867, RELATING TO HOMICIDE.**

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

My name is Erik Abe, and I am the Public Affairs and Policy Director for the Hawaii Primary Care Association (HPCA). I am testifying today solely in my capacity as a concerned citizen, and my views expressed do not necessarily nor officially reflect those of the HPCA.

I am testifying in **SUPPORT** of House Bill No. 1867, RELATING TO HOMICIDE.

As received by your Committee, this bill would:

- (1) Rename "Negligent Homicide" "Vehicular Homicide" in the Penal Code;
- (2) Prohibit the prosecuting attorney from accepting a lesser plea for Vehicular Homicide in the First Degree in certain instances;
- (3) Establish an affirmative defense for Vehicular Homicide in the First Degree; and
- (4) Make Vehicular Homicide in the First Degree a class A felony, Vehicular Homicide in the Second Degree a class B felony, and Vehicular Homicide in the Third Degree a class C felony.

Four years ago, I was requested by a friend, Mr. Ron Shimabuku, to assist his family draft legislation before the Hawaii State Legislature to strengthen Hawaii's laws applicable to driving under the influence of an intoxicant. At that time, Mr. Shimabuku informed me that his hanai brother, Kaulana Werner, was killed by an intoxicated driver in Nanakuli, Island of Oahu, and that his family wanted to change the laws to prevent similar situations from occurring in the future to ease the suffering of families of victims.

Shortly after the accident, the Prosecutor informed the Werner Ohana that they would charge the driver with Negligent Homicide. Because Negligent Homicide is a class B offense, the maximum penalty that the driver could receive is incarceration of 10 years if convicted.

The Werner Ohana felt that a 10-year sentence was insufficient for the crime that was committed, especially in light of the fact that the driver failed to stop at the scene of the accident and was apprehended nearly a mile away while in the process of having her car towed by a friend.

Despite these objections, the driver was charged with Negligent Homicide, and on November 1, 2019, Myisha Lee Armitage was convicted of Accidents Involving Death or Serious Bodily Injury, in violation of Section 291C-12, HRS, and Negligent Homicide in the First Degree, in violation of Sections 707-702.5(1)(a) and 707-702.5(1)(b), HRS.

The plight of the Werner Ohana brings to light ambiguity between the crimes of Manslaughter, Section 707-702, HRS, and Negligent Homicide in the First Degree, Section 707-702.5, HRS. Both are applicable where a person's negligence or reckless behavior leads to the death of another. However, Negligent Homicide in the First Degree specifically applies to cases involving the reckless operation of a vehicle under the influence of an intoxicant that leads to the death of another.

The penalty for Manslaughter is a class A felony (20 years to life). The penalty for Negligent Homicide in the First Degree is a class B felony (no more than 10 years).

This bill seeks to clarify the law to address the most egregious cases involving deaths that result from driving under the influence. It would make the penalty of Vehicular Homicide in the First Degree the same as Manslaughter and raise the penalties for Vehicular Homicide in the Second and Third Degrees by one level each.

In addition, two provisions are included that were modeled after Nevada statutes. First, a provision was added to bar a prosecutor from dismissing a charge of Vehicular Homicide in the First Degree in exchange for a guilty plea, guilty but mentally ill, or nolo contendere to a lesser charge for any reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. (See, NRS §484C.430) This is intended to ensure that the charges issued are appropriate for the crime committed.

Second, a provision was added to establish an affirmative defense for Vehicular Homicide in the First Degree. If consumption is proven by a preponderance of the evidence, it is an affirmative defense that the defendant consumed a sufficient quantity of alcohol after driving or

**Testimony on House Bill No. 1867**  
**Tuesday, February 8, 2022; 2:00 p.m.**  
**Page 3**

being in actual physical control of the vehicle, and before his or her blood or breath was tested to cause the defendant to show that he or she did not have a blood alcohol concentration above the legal limit. The burden of proof shifts to the defendant to show that he or she did not have a blood alcohol concentration above the legal limit. (See, NRS §484C.430)

In conclusion, House Bill No. 1867 is an attempt by the Werner Ohana to strengthen the law in an equitable and reasonable manner that promotes justice for the innocent victims and their families. It is not based on new concepts but on existing law. It seeks to ensure that the laws of this State are enforced to promote justice and not merely to do what is expedient, the prevailing practice, or easier to prove.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact me.



Mothers Against Drunk Driving HAWAII  
745 Fort Street, Suite 303  
Honolulu, HI 96813  
Phone (808) 532-6232  
Fax (808) 532-6004  
hi.state@madd.org

February 8, 2022

To: Representative Mark M. Nakashima, Chair, Committee on Judiciary & Hawaiian Affairs, Representative Scot Z. Matayoshi, Vice Chair; and members of the Committee

From: Kurt Kendro, Chair, Public Policy Committee; Mothers Against Drunk Driving (MADD) Hawaii

Re: House Bill 1867- RELATING TO HOMICIDE

I am Kurt Kendro, Chair of MADD Hawaii's Public Policy Committee and retired Major from the Honolulu Police Department speaking on behalf of the members of MADD Hawaii Advisory Board in STRONG SUPPORT of House Bill 1867- Relating to Homicide.

The punishment for crimes related to the operation of vehicle while impaired have long been woefully inadequate when compared to other jurisdictions. These changes will bring an appropriate punishment for those persons who choose to operate a vehicle while impaired that result in the death of innocent persons. This is long overdue, provides a deterrence for those who choose to drink and drive, and provides an appropriate sentence for those convicted of killing someone while operating a vehicle while impaired.

Driving while impaired is absolutely and completely avoidable by choosing not to drive while drinking alcohol or under the influence of both legal or illicit drugs. The increase of sentencing provides a strong deterrence when people understand that there is a serious consequence when they choose to drink and drive.

MADD Hawaii is in STRONG SUPPORT of this measure.

Thank you for the opportunity to testify.

**HB-1867**

Submitted on: 2/4/2022 7:23:39 PM

Testimony for JHA on 2/8/2022 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ronnelle Werner-Celes	Individual	Support	No

Comments:

Drink drivers deserve to be punished to the full extent! My brother was killed on 4/24/2016 his killer was charged with negligent homicide in the first degree and was sentenced to 10 years in prison on 11/1/2019. On 1/22/22 two days prior to what would of been Kaulana Werner's 25th Birthday (she killed him when he was only 19 years old) she was released on bail from prison after only serving two years. That's not fair. Where is his justice? Justice starts here. To many innocent people die and these killers serve little to no time in prison.

**HB-1867**

Submitted on: 2/7/2022 4:53:54 AM

Testimony for JHA on 2/8/2022 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kehau Kaalouahi	Individual	Support	No

Comments:

My name is Kehau Kaalouahi and I fully support this bill. When an individual chooses to drink then drive, they knowingly engage in dangerous activities, such as operating a vehicle that can cause the death of someone. Drinking and driving is a reckless act and individuals should be charged with manslaughter.



**Cynthia Au  
1073 Kinau St  
Honolulu, Hawaii 96814**

**TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN  
AFFAIRS TUESDAY, MARCH 2, 2021; 2:00 P.M.  
STATE CAPITOL, CONFERENCE ROOM 325**

**RE: HOUSE BILL NO. 1867, RELATING TO HOMICIDE.**

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

My name is Cynthia Au, and I am testifying as a concerned citizen in **SUPPORT** of House Bill No. 1867, RELATING TO HOMICIDE.

This bill seeks to clarify the law to address the cases involving deaths that result from driving under the influence. It would make the penalty of Vehicular Homicide in the First Degree the same as Manslaughter and raise the penalties for Vehicular Homicide in the Second and Third Degrees by one level each.

House Bill No. 1867 would strengthen the law to give justice for the innocent victims and their families. Many lives have been lost because people were drinking and operating a vehicle irresponsibly. Do not let families who lost loved ones continue to suffer injustices.

Thank you for the opportunity to testify in support of HB 1867.