



WEEKLY REPORT

State Senator Gary Nodler
District 32



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Detering Tragedy and Bringing Justice

JEFFERSON CITY –The last week of the First Regular Session of the 93rd General Assembly was flush with efforts to send our remaining high-priority legislation to the Governor. Among the legislation that was approved by the legislature was Senate Bill 37, of which I am the sponsor, that strengthens the law against drunk drivers. A companion bill sponsored by House Speaker Rod Jetton also was granted final passage.

Under the legislation, the penalty for involuntary manslaughter in the first degree is increased to a class B, rather than class C, felony if a driver has a blood alcohol content (BAC) between .08 and .18 and causes the death of any person who is not a passenger or causes the deaths of two or more people.

Furthermore, if the driver's BAC is higher than .18 when he or she causes the death of *anyone*, he or she will also be guilty of a class B felony. If someone repeats this offense, he or she will be charged with a class A felony.

All defendants in the above cases must serve at least 85 percent of their sentence before they can be up for parole consideration. Legal consequences have also been stiffened for repeat driving-while-intoxicated offenses.

This legislation clearly sends the message that driving while intoxicated is inexcusable. For too long, Missouri has been excessively lenient when it comes to these alcohol-related crimes.

Last summer, 7-year-old Jessica Mann and her grandfather, James Dodson, were checking the mailbox outside of Mr. Dodson's home when a drunk driver struck and killed them. The driver had a blood-alcohol level of .202—more than twice the legal limit.

It was the driver's choice to get drunk. It was the driver's choice to get behind the wheel while drunk. It was neither the choice of Jessica nor her grandfather to fall victim to the drunk driver's careless disregard for human life.

When an innocent person dies at the hands of an intoxicated driver, current law does not fulfill a sense of justice for those left behind, nor does it deter potential drunk drivers from jeopardizing their freedom and others' lives. This legislation gives Missouri's criminal code the ability to grant justice to victims' families and friends and the means to prevent needless tragedies from happening in the first place. Drinking and driving kills too many children, ruins too many families and causes too many negative social consequences that affect our state as a whole. By making the punishment proportionate to the severity of the crime, we hope this legislation saves lives by helping would-be offenders think twice before they binge drink, and then get into a car to drive.

Because the legislation has been approved by both chambers of the Missouri legislature all it needs to become law is the governor's signature. Although the curtain has fallen on this legislative session, I will continue to serve and look out for the best interests of the 32nd Senate District throughout the year.

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*Senator Gary Nodler represents the people of Newton, Jasper
and Dade counties in the Missouri Senate.*