



INDIANA PROSECUTING ATTORNEYS COUNCIL

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FOR IMMEDIATE RELEASE

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Lawrence County Prosecutor Testifies Before Indiana Senate Committee

INDIANAPOLIS - Lawrence County Prosecutor Michelle L. Woodward testified Tuesday, February 21, in support of a bill before the Senate Corrections and Criminal Law Committee. The bill, Senate Bill 479, is sponsored by Sen. Eric Koch. SB 479 will provide additional accountability and stiffer penalties for habitual traffic violators when they drink and drive and cause the death of another person while driving.

"I approached Senator Koch because I knew there was a loophole in Indiana law that was unjust and needed to be fixed. This loophole allows a person, whose driver's license is suspended under the habitual traffic violator law, who then operates a vehicle while intoxicated and causes the death of another person, to suffer no additional consequences because they were driving after having been declared to be a habitual traffic violator," said Prosecutor Woodward.

Under current Indiana law, a person who causes the death of another person when operating a vehicle while intoxicated, commits a Level 5 felony, punishable between one and six years. However, if the person has a prior conviction of operating while intoxicated within ten years or if the person's driver's license was suspended for a prior operating while intoxicated conviction, then the offense is a Level 4 felony, punishable between two and twelve years. Current Indiana law fails to take into consideration the scenario of a person causing the death of another person when operating a vehicle while intoxicated when their driving privileges are suspended under the habitual traffic violator law.

Other parts of SB 479 make changes to the failure to comply with the duties of the operator of motor vehicle involved in an accident offense.

"We refer to this as the failure to stop or leaving the scene of an accident crime," commented Prosecutor Woodward. SB 479 proposes that it is a separate offense for each person whose serious bodily injury or death is caused by a person who then leaves the scene of the accident. There is a similar section currently in Indiana law for the offenses of operating while intoxicated causing serious bodily injury or causing death. "I think this addition is important because each victim deserves to be considered," said Prosecutor Woodward. The bill also adds failure to stop after an accident resulting in serious bodily injury or death as "crime of violence", allowing for consecutive sentencing. Both of these additions would create parity between the operating while intoxicated causing serious bodily injury or death and the failure to stop after an accident resulting in serious bodily injury or death.

"I want to thank Senator Koch for taking a look at this issue and proposing a solution that provides justice to the citizens of our community," said Prosecutor Woodward.

The bill passed the committee and will next be considered by the full Senate.

END



Prosecutor Michelle Woodward

About the Indiana Prosecuting Attorneys Council: The IPAC is a non-partisan, independent state judicial branch agency that supports Indiana's 91 prosecuting attorneys and their chief deputies. It is governed by a 10-member board of directors of elected prosecuting attorneys. The IPAC assists prosecuting attorneys in the preparation of manuals, legal research and training seminars. It



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serves as a liaison to local, state, and federal agencies, study commissions, and community groups in an effort to support law enforcement and promote the fair administration of justice.

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